

## NINTH DAY

(Monday, January 27, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Fuchs
Allen	Gandy
Allison	Garland
Alsup	Goodman
Anderson	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bean	Harris of Dallas
Bell	Harris of Hill
Benton	Hartzog
Blankenship	Heflin
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howington
Bruhl	Hoyo
Bullock	Huddleston
Bundy	Huffman
Burkett	Hughes
Burnaman	Humphrey
Carlton	Hutchinson
Carrington	Isaacks
Cato	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crothwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Dwyer	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McLellan
Favors	McNamara
Ferguson	McMurry
Files	Manford
Fitzgerald	Manning

Markle	Sallas
Martin	Senterfitt
Matthews	Sharpe
Mills	Shell
Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Murray	Spangler
Nicholson	Stanford
Pace	Stinson
Parker	Stubbs
Pevehouse	Taylor
Phillips	Turner
Price	Voigt
Rampy	Walters
Reed of Bowie	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Roark	Whitesides
Roberts	Winfree
Rhodes	

Absent—Excused

Celaya	Thornton
Gilmer	Vale
Howard	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"We thank Thee, our Heavenly Father, that we are spared to meet again. Wilt Thou give us understanding, and strength, and courage as we meet the challenge of the great work ahead of us, as Thou shalt lead us on. In Christ's name. Amen."

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Celaya for today on motion of Mr. Bundy.

Mr. Thornton for today on motion of Mr. Craig.

Mr. Gilmer for today on motion of Mr. Spangler.

Mr. Vale for today on motion of Mr. Taylor.

The following Member was granted leave of absence on account of illness:

Mr. Howard for today on motion of Mr. Stinson.

**RESOLUTION SIGNED BY  
THE SPEAKER**

The Speaker signed in the presence of the House after giving due notice thereof and its caption had been read the following enrolled resolution:

H. C. R. No. 18, Providing for Certain Adjournment Period.

(Mr. Reed of Dallas in the Chair.)

**HOUSE BILLS ON FIRST  
READING**

The following House bills introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Brown and Mr. Markle:

H. B. No. 2, A bill to be entitled "An Act granting to any city in this State bordering upon the Gulf of Mexico and now or hereafter having a population of sixty thousand or more inhabitants, as shown by the next preceding Federal Census taken before any action under such act is taken by such city, the right of use and occupancy for park purposes of tidelands and bed and waters of the Gulf of Mexico to the extent of two thousand feet from the line of ordinary high tide, in front of and between extensions of property lines of property acquired or to be acquired by such city for park purposes; giving and granting to any such city the power to declare abandoned for use as streets and highways and take, occupy and use for park purposes, lands theretofore dedicated as streets or highways which have become unfit for such use by reason of submersion by the waters of the Gulf of Mexico, or the building of a seawall, breakwater, or other structure, upon a finding by the governing body of the city of such unfitness; prohibiting the taking of any private property or interest therein without compensation; giving to the governing body of any such city full rights of management and control of tidelands and bed and waters of the Gulf of Mexico to the extent allowed in such act for park purposes including the right of acquiring, erecting, equipping, conducting, operating and

maintaining upon, over and into such tidelands and waters and bed of the Gulf of Mexico a pier extending from the shore with structures thereon to provide facilities for recreation, amusement, comfort and assemblies of the public; prohibiting the operation and maintenance of more than one such pier by any city; prohibiting the erection of any such pier extending into the waters of the Gulf of Mexico for a greater distance than two thousand feet from the line of ordinary high tide, or in any part of any channel deepened or improved for commercial navigation, or between the shore line and any such channel, or in any arm, inlet, bay, or body of water other than the main body of the Gulf of Mexico; authorizing certain specified facilities to be erected, maintained and operated upon such a pier and providing that the same shall not be exclusive of other facilities and uses reasonably adapted and suitable for park purposes thereon; empowering any such city to acquire by gift, purchase or condemnation such privately owned land, or rights in privately owned land, within its limits for use for park purposes in connection with such a pier as its governing body may determine to be necessary; empowering any such city to issue its negotiable bonds and levy taxes therefor for the purpose of paying in whole or in part the costs of acquiring privately owned lands, if any, to be used in connection with such a pier and the costs of erecting, constructing, furnishing and equipping the same; requiring the issuance of such bonds be governed by the provisions of Chapter I, Title 22, Revised Statutes of 1925 and acts amendatory of and supplementary thereto and providing that when any bonds to be issued for such purpose have heretofore been duly authorized at an election called and conducted in the manner prescribed by Chapter I, Title 22, Revised Civil Statutes of 1925 and acts amendatory of and supplementary thereto, the governing body of the city wherein such election has been conducted may issue the bonds authorized at such election without another election thereon; authorizing the governing body of the city in its discretion to use the proceeds of such bonds to pay in

part the cost of building, erecting, constructing, furnishing and equipping structures and improvements authorized by such act which, together with lands and interests in lands occupied or used in connection therewith and the income therefrom may have been or are to be mortgaged and encumbered for the purpose of providing funds for additional costs of acquiring, building, erecting, constructing, furnishing or equipping the same, or for any one or more of such purposes; authorizing any such city acquiring, building, erecting, constructing, or equipping any such pier, structure or improvement through its governing body to mortgage and encumber the same and its income together with all lands, and interests, easements and other rights in land acquired or to be acquired and used in connection therewith, including its right of use and occupancy of the tidelands and bed and waters of the Gulf of Mexico for the purpose of securing the payment of bonds, notes, or warrants authorized by such act to be issued for the purpose of providing funds to pay all or any part of the cost of acquiring lands and interests in lands to be used in connection with such pier, structure, or improvement and of building, erecting, constructing, furnishing, or equipping the same and to give as additional security to the purchaser under any sale or foreclosure under such mortgage and encumbrance his, their, or its successors or assigns, a franchise to operate the properties purchased at such sale for a period of not over thirty-five years after the purchase thereof with the right to use and occupy the tidelands, waters and bed of the Gulf of Mexico in connection therewith for such period for like purposes for which use and occupancy thereof are granted to the city providing that upon the termination of such period, or cessation of the use of the properties for such purposes prior to the termination of such period, the right of use and occupancy of the tidelands, waters and bed of the Gulf of Mexico shall revert to the city; providing that such power to mortgage and encumber may be exercised as to property acquired, built, erected, constructed, furnished, or equipped for purposes

authorized by such act whether the entire cost thereof shall be defrayed wholly from proceeds of bonds, notes, or warrants secured by such mortgage and encumbrance or partly therefrom and partly with proceeds of bonds, notes, or warrants authorized by other provisions of the Act; providing that bonds, warrants, or notes so secured by such mortgage and encumbrance shall never be a debt against the city issuing the same; prescribing certain provisions to be therein contained and requiring that the nature of the encumbrance and the control, management and operation of the property encumbered be subject to and governed by Articles 1113, 1114, 1115, 1116, 1117 and 1118 of Revised Civil Statutes of 1925 in the same manner as are parks and systems named in Article 1111 of Revised Civil Statutes of 1925; authorizing the governing body of any such act to levy and collect in addition to taxes authorized for paying interest and principal of bonds issued under such act annual ad valorem taxes not to exceed five cents on each one hundred dollars valuation of taxable property in the city for any one year for the purpose of defraying in part the cost of acquiring, building, constructing, erecting, furnishing, or equipping such pier, structure, or improvement, or the cost of land or interests in land, to be used in connection therewith or for the purpose of repairing enlarging, extending, altering, or improving the same after completion and authorizing the governing body of the city in its discretion to issue interest bearing time warrants of the city for such purposes or any of them, to be payable from such taxes; providing that invalidity of any section, term or provision of such Act shall not render invalid the remaining sections, terms and provisions thereof; and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Morse:

H. B. No. 3, A bill to be entitled "An Act making a specific appropriation out of the General Revenue Fund of the State of Texas not otherwise appropriated, to pay a judgment

obtained by Trinity Portland Cement Company against the State of Texas pursuant to resolution granted by the State of Texas to the said Trinity Portland Cement Company, authorizing it to sue the State of Texas for the recovery of filing fees and franchise taxes paid to the Secretary of the State of Texas, which filing fees and franchise taxes the Courts of the State of Texas held to have been illegally collected; and, providing further that the Comptroller of the State of Texas be directed to issue warrant to pay said judgment to the party herein named in payment of the same in the amount specified herein and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Alsup:

H. B. No. 4, A bill to be entitled "An Act repealing all local or special laws regulating the taking, possession, or sale of fur bearing animals in so far as they apply to Fanola County, Texas; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Morse:

H. B. No. 5, A bill to be entitled "An Act defining Industrial Life Insurance; forbidding the delivery or issuance for delivery of any policy of Industrial Life Insurance, unless it shall contain certain provisions, and making said provisions subject to certain exceptions; securing to insureds and beneficiaries under policies previously issued, the right to select, under certain circumstances, extended or paid-up insurance and providing for the automatic selection of extended insurance in the event such insureds or beneficiaries fail to make a selection; designating additional optional provisions to be contained in policies of Industrial Life Insurance; forbidding the inclusion of certain provisions in Industrial Life Insurance policies; requiring approval of the Board of Insurance Commissioners of all policies of Industrial Life Insurance, including such policies which provide for accident and health benefits in addition to natural death benefits, and all riders and endorsements before

same can be delivered or issued for delivery; requiring written notice in case of disapproval of any policy, rider or endorsement; providing for an appeal from the decision of the Board; providing that this Act and no other shall apply to and govern the form and content of Industrial Life Insurance policies; providing that upon proper showing to the Board of Insurance Commissioners of inability of an insurer to comply with this Act immediately upon the same becoming effective, such insurer may at the discretion of the Board have sixty days from and after the effective date of this Act in which to make full compliance with its provisions; providing for the severability of the provisions of this Act, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Morse:

H. B. No. 6, A bill to be entitled "An Act to define, license and regulate the business of making loans or advancements in the amount or of the value of Five Hundred (\$500.00) Dollars or less, secured or unsecured; making findings of fact and statement of policy; providing certain exemptions; providing that a license to engage in such business shall be obtained from and may be revoked or suspended by the Banking Commissioner of Texas, and for judicial review of his decisions and findings and for certain examination and license fees to be charged by said Commissioner; providing that each applicant shall have certain qualifications and shall file a bond in the sum of Two Thousand (\$2,000.00) Dollars; defining certain terms; defining interest and limiting the rates of interest and amounts of expense charges in connection with such loans or advancements and penalties for the violation thereof; declaring such charges to be prima facie reasonable and not to be considered as interest; regulating the purchase or assignment of wages, salaries, commissions or other compensation for services earned or to be earned, when given as security for any such loan, or as consideration for a payment of Five Hundred (\$500.00) Dollars or less; limiting the direct

and contingent liability of persons; providing that the borrower shall be informed of the cost of the loan and the elements of such cost; providing for the administration of this Act and for the issuance of rules and regulations therefor; authorizing the making of examinations and investigations and charges therefor and the publication of reports thereof; prohibiting the publication of false or misleading statements or misrepresentations by licensees; prohibiting devices and subterfuges; regulating collateral agreements; providing that the violation of certain provisions of this Act shall constitute a misdemeanor and shall be punishable by fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment of not more than six (6) months, or by both such fine and imprisonment and shall render the contract of loan void; providing for the granting of injunctions and the appointment of receivers; providing for the repeal of Article 6165a of Title 102, entitled 'Assignments of Wages,' Article 7047 of Title 112, Section 14, entitled 'Loan Brokers,' and Article 7047 of Title 112, Section 15, entitled 'Money Lenders' of the Revised Civil Statutes of Texas, and Article 1129a, Title 14 of Chapter 12 of the Penal Code defining, regulating and taxing loan brokers; repealing Articles 5069, 5071, 5073, Title 79, Revised Civil Statutes of Texas to the extent that they are inconsistent with this Act; and providing for the repeal of all Acts and parts of Acts, whether general, special or local, which relate to the same subject matter as this Act so far as they are inconsistent with the provisions of this Act; providing for a saving clause in the event any portion of this Act shall be held unconstitutional and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Hartzog:

H. B. No. 7, A bill to be entitled "An Act to aid the City of Port Lavaca in constructing and maintaining revetments, and in the restoring, protection and improvement of the harbor and bay shore front of the City of Port Lavaca, and for

the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said City of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun County, State of Texas, for a period of twenty years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor, and to declare an emergency."

Referred to the Committee on State Affairs.

By Mr. Morris and Mr. Bell, Mr. Hardeman, Mr. Ellis, Mr. Heflin, Mr. Crosthwait, Mr. Bailey, Mr. Isaacks, Mr. McCann, Mr. Cato, Mr. Bean, Mr. Love, Mr. Boone, Mr. Weatherford, Mr. Kersey, Mr. Moore, Mr. Connelly, Mr. Winfree, Mr. Sharpe, Mr. Hileman and Mr. Wattner:

H. B. No. 8, A bill to be entitled "An Act levying various taxes and providing certain revenue for the payment of Old Age Assistance, aid to Destitute Children, aid to Needy Blind, and the obligations of the State under the Teachers Retirement Act; amending Section 2 of Chapter 241, Acts of the Regular Session of the Forty-fourth Legislature, and levying certain taxes on persons making the first sale in this State of cigarettes and providing for the collection and administration thereof; amending Section 2 of Article 7057a of the Revised Civil Statutes of Texas, 1925, same being Section 2, Chapter 162, Acts of the Forty-third Legislature, Regular Session, 1933, as amended by Acts of the First Called Session of the Forty-third Legislature, 1933, Chapter 12, Section 1, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 4, levying certain occupation taxes on oil produced within this State, defining certain terms in connection therewith, establishing the liability thereof, and providing for the computation, collection, and administration thereof; amending Section 3, Chap-

ter 75, Acts of the Regular Session of the Forty-second Legislature, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, Chapter 495, Article 4, Section 8, levying certain taxes on the market value of gas produced and saved within this State, or sold if imported into this State; defining certain terms in connection therewith, establishing the liability thereof, and providing for the computation, collection, and administration thereof; amending Section 40A of Article 7047, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1931, Forty-second Legislature, Regular Session, Page 355, Chapter 212, Section 1, as amended by Acts of 1936, Forty-fourth Legislature, Third Called Session, Page 2040, Chapter 493, Article 4, Section 6, levying certain taxes against producers of sulphur within this State, and providing for the computation, collection, and administration thereof; amending Article 7064, Regular Session of 1925, as amended by House Bill No. 8, Third Called Session of the Forty-fourth Legislature, relating to the taxation of the gross receipts of insurance companies other than life or fraternal benefit; amending Article 7064a, Regular Session of 1925, as enacted by House Bill No. 8, Third Called Session of the Forty-fourth Legislature, relating to taxation of the gross receipts of certain domestic insurance corporations; amending Article 4769, Regular Session of 1925, as amended by House Bill No. 8, Third Called Session of the Forty-fourth Legislature, relating to the taxation of foreign life insurance companies; amending Article 4858, Regular Session of 1925, as amended by House Bill No. 8, Third Called Session of the Forty-fourth Legislature, relating to the taxation of foreign fraternal benefit societies; amending Article 7084 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of 1930, Forty-first Legislature, Fifth Called Session, Page 220, Chapter 68, Section 2, as amended by Acts of 1931, Forty-second Legislature, Page 441, Chapter 266, Section 1, providing for the levy, computation, collection, and administration of certain franchise taxes on every domestic and

foreign corporation heretofore or hereafter chartered or authorized to do business in Texas; amending Article 7070, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Article 4, Section 1, levying certain taxes upon the gross amounts received by all individuals, companies, corporations, and associations owning, operating, managing, or controlling any telephone line or lines, or any telephones within this State, and providing for the computation, collection, and administration thereof; amending Article 7060, Revised Civil Statutes of Texas, 1925, as amended by Chapter 34, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, Chapter 493, Article 4, Section 3, levying certain taxes upon the gross amounts received by all individuals, companies, corporations, and associations owning, operating, managing, or controlling any gas, electric light, electric power, or water works, or water and light plants located within any incorporated town or city in this State and used for local sale and distribution in any such town or city, and providing for the computation, collection, and administration thereof; levying certain taxes upon the first sale of every new motor vehicle in this State, defining certain terms in connection therewith, providing certain exemptions therefrom, and providing for the computation, collection, and administration thereof; levying an occupation license or privilege tax, in addition to all other licenses and taxes now levied and assessed in this State, upon every person, firm, association or corporation engaged in gathering gas produced in this State; to define the meaning of 'gas' and 'gathering gas'; providing for the keeping and maintaining of necessary records for computing the tax hereby imposed; providing penalties for the failure or omission to keep the required records; providing for the enforcement by the Comptroller of Public Accounts; providing date reports and tax due; providing penalties for the failure to make true and correct return hereunder; providing

penalty for failure to pay tax; providing for the seizure and sale of the tax debtor's property in case of failure to pay said taxes; providing tax in addition to all other taxes; providing that any person intentionally furnishing false information or making false oath shall be guilty of perjury; prohibiting deduction of tax from payments due sellers by purchasers; allocating all revenue derived and collected under this Act and the various articles thereof to the Available School Fund, Department of Public Welfare for the purpose of providing assistance to the Blind, Department of Public Welfare for the purpose of providing assistance to the Dependent and Destitute Children, Texas Old Age Assistance Fund, Teachers Retirement Fund, and to the General Revenue Fund; providing that the State of Texas shall have a prior lien for taxes, fines, penalties, and interest due under the provisions of this Act, which prior lien shall be cumulative and in addition to all other liens; providing liability of purchaser for taxes on natural resources; providing for the imposition of an occupation tax on persons engaged in the business of processing natural gas so as to extract liquids therefrom; providing that the Comptroller of Public Accounts shall collect such tax; providing for injunction and penalties for violation; providing for the definition of certain words and phrases; providing that all taxes, fines, penalties, and interest due and existing, or hereafter becoming due or delinquent under prior or existing tax laws are expressly preserved and declared to be legal and valid obligations due to the State; providing that offenses committed, or prosecutions begun, are to be conducted under pre-existing laws; providing that if any article, section, subsection, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Act, and that the same shall be and remain in full force and effect; providing that the Legislature would have passed this Act and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one

or more of the sections, subsections, sentences, clauses, or phrases should be declared unconstitutional; repealing all laws in conflict herewith, with certain exceptions; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Harris of Dallas, Mr. Crosthwait, Mr. Carlton, Mr. Morris, Mr. Connelly, Mr. Harris of Hill, Mr. Pevehouse, Mr. Weatherford, Mr. Sallas, Mr. Allen, Mr. Senterfitt, Miss Files and Mr. Morgan:

H. B. No. 9, A bill to be entitled "An Act providing for the processing tax of one cent (1¢) per gallon on all combustible condensates, such as refined gasoline, naphtha, casing-head gasoline, natural gasoline, drip gasoline, and all other combustible condensates of crude petroleum, natural gas, or any other product by any method of refining, manufacturing, processing, separating, extracting, compounding, blending, or storing, whether manufactured within or without this State, by any person, agent, manufacturer, producer, corporation, partnership, association, or otherwise, in any refinery, manufacturing plant, processing plant, separating plant, extracting plant, compounding plant, blending plant, storage plant, or any other place or by any other method used for the purpose of producing or storing combustible condensates; providing for penalties for violation of this Act; providing penalties for evasion of this Act; providing for production records to be kept and penalties for refusal or neglect in rendering reports; providing for penalties for failing to remit tax; providing for tax to be paid at point of production or storage; providing for collection of funds derived from this tax for enforcement and to the credit of the State Department of Public Welfare, the Available School Fund, the Teachers Retirement Fund, the County and Road District Highway Fund, the General Fund, the State Highway Fund, the General Fund, the State Department of Public Health; repealing Article 7065a-2, the four cent gasoline tax; repealing all laws or parts of laws in conflict herewith; providing for

a savings clause and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Hanna, Mr. Sallas, Mr. Morgan, Mr. Wattner, Mr. Crosthwait, Mr. Eubank, Mr. Bailey, Mr. Rampy, Mr. Pace, Mr. Whitesides, Mr. Allen, Mr. Parker, Mr. Bean, Mr. Boone, Mr. Goodman, Mr. Reed of Dallas, Mr. Harris of Dallas, Mr. Matthews, Mr. Price, Mr. Cleveland, Mr. Blankenship, Mr. Simpson and Mr. Bullock:

H. B. No. 10, A bill to be entitled "An Act amending Article 349 of the Penal Code of the State of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Alsup:

H. B. No. 11, A bill to be entitled "An Act to amend Article 2746, Revised Civil Statutes relative to payment of persons holding elections of local school trustees, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Alsup:

H. B. No. 12, A bill to be entitled "An Act repealing H. B. No. 26 of the Acts of the Regular Session of the Forty-fourth Legislature; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Morse, Mr. Lehman, Mr. Morris, Mr. Skiles, Mr. Stinson, Mr. Lowry, Mr. Reed of Dallas, Mr. Mills, Mr. Donald, Mr. Harris of Dallas, Mr. Crosthwait, Miss Files, Mr. Huddleston, Mr. Roark, Mr. Kennedy, Mr. Hanna, Mr. Matthews, Mr. Turner, Mr. McMurry, Mr. Boone, Mr. Love, Mr. Craig, Mr. Little, Mr. Deen, Mr. Bullock, Mr. Halsey, Mr. Connelly, Mr. Moore, Mr. Sharpe, Mr. Garland, Mr. McCann, Mr. Hileman, Mr. Manning, Mr. Coker, Mr. Kelly, Mr. Winfree, Mr. Howard, Mr. Brown, Mr. Markle, Mr. Montgomery, Mr. Lock, Mr. Heflin, Mr. McDonald, Mr. Hartzog, Mr. Knight, Mr. Wal-

ters, Mr. Sallas, Mr. Bundy, Mr. Harris of Hill, Mr. Humphrey, Mr. Leyendecker, Mr. Thornton, Mr. Carlton, Mr. Bridgers, Mr. Bean, Mr. Blankenship, Mr. Pevehouse, Mr. Price, Mr. Spacek, Mr. Dwyer, Mr. Hoyo, Mr. Ridgeway, Mr. Bell, Mr. Fitzgerald, Mr. Morgan, Mr. Wattner, Mr. Stubbs, Mr. Favors, Mr. Reed of Bowie, Mr. Ellis, Mr. Simpson, Mr. Senterfitt, Mr. Klingeman, Mr. Martin, Mr. Fuchs, Mr. Anderson, Mr. Lyle, and Mr. Dickson of Bexar.

H. B. No. 13, A bill to be entitled "An Act providing for the deposit of moneys to the credit of the State Accumulation Fund of the Teacher Retirement System of Texas, repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Stinson:

H. B. No. 14, A bill to be entitled "An Act to amend Article 954, Code of Criminal Procedure, to authorize the Governor to remit fines, forfeitures of recognizances and bail bonds, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Chambers:

H. B. No. 15, A bill to be entitled "An Act to prohibit unfair trade practices that are designed to destroy farmers' non-profit sharing cooperative marketing associations by persons, associations of persons, firms and corporations purchasing and offering to purchase agricultural products, including livestock and poultry, not at a given or specified price but at such price as some non-profit sharing cooperative marketing associations may ultimately pay to their members; declaring the policy of the State of Texas to be opposed to such unfair trade and competition, defining such unfair competition, making same unlawful, prescribing a penalty therefor, providing that nothing herein contained shall be construed to prohibit the purchase or offer to purchase, any products in the regular course of business, if the price paid or offered is not based upon an indefinite amount, to be paid in the future, repealing all laws



and parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Bell:

H. B. No. 16, A bill to be entitled "An Act amending Subdivision 83 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1925, relating to the formation of private corporations to organize laborers, working men, wage earners, and farmers to protect themselves in their various pursuits; vesting authority in the Commissioner of Labor Statistics to make investigation for charters and amendments to charters for such purposes; and declaring an emergency."

Referred to the Committee on Labor.

By Mr. Bell:

H. B. No. 17, A bill to be entitled "An Act appropriating fees and unexpended balances that have accrued or that may accrue during the fiscal year ending August 31, 1941, by virtue of Chapter 7, Article 133, Revised Civil Statutes, 1925; Article 5764, Revised Civil Statutes, 1925; Article 5695, Revised Civil Statutes, 1925; Chapter 287, Regular Session, Forty-second Legislature; Chapter 304, Regular Session, Forty-first Legislature; and House Bill No. 12, First Called Session, Forty-fifth Legislature and any amendments to any of said Acts, to the Department of Agriculture to be used in the enforcement of said Acts, including traveling expenses, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Morse:

H. B. No. 18, A bill to be entitled "An Act providing for the proration by the Railroad Commission of Texas of wet gas and/or wet gas and distillate wells in the same manner as is now provided for oil wells, provided that nothing in this Act shall apply to dry gas wells and providing that all laws and parts of laws in conflict with this Act and particularly any portion of House Bill No. 266, Chapter 120, General Laws of the 44th Legislature of Texas, Regu-

lar Session, that may be in conflict with this Act are hereby repealed, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Alsup, Mr. Hileman, Mr. Lock, Mr. Coker, Mr. Bean, Mr. Gilmer, Mr. Smith of Atascosa, Mr. Harris of Dallas, Mr. Bullock, Mr. Lyle and Mr. Manning:

H. B. No. 19, A bill to be entitled "An Act to amend sections 3 and 5 of Chapter 42, General Laws of Texas, passed by the 41st Legislature, 2nd Called Session, as amended by Sections 3 and 5 of Chapter 282, Acts Regular Session, 42nd Legislature; repealing Section 7 of Chapter 282, Acts Regular Session, 42nd Legislature, said Acts relating to the operation of vehicles on the public highways of Texas; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Kersey, Mr. Harris of Dallas, Mr. Reed of Dallas, Mr. Walters, Mr. Bean, Mr. Hanna, Mr. Skiles, Mr. Hughes, Mr. Crosthwait, Mr. Crossley, Mr. Ferguson, Mr. Turner, Mr. Weatherford, Mr. Dove, Mr. Lock, Mr. Chambers, Mr. Benton, Mr. Sharpe, Mr. Halsey, Mr. Goodman, Mr. Crossley, Mr. Craig, Mr. Stinson, Mr. Sallas, Mr. Avant and Mr. Alsup:

H. B. No. 20, A bill to be entitled "An Act providing for licensing of operators, commercial operators and chauffeurs; defining certain terms; providing for certain exemptions; prohibiting issuance of licenses to certain persons; making it unlawful for certain persons to operate a school bus or any motor vehicle while in use as a public or common carrier of persons; providing for application for operators', commercial operators' and chauffeurs' licenses; providing for signing of application of minors and cancellation of minors' license upon application, and/or death of signatory; providing for examinations of applicants for operators', commercial operators' and chauffeurs' licenses; providing for the issuance of operators', commercial operators' and chauffeurs' licenses, and duplicates thereof; providing for the issuance of restricted operators',

commercial operators' and chauffeurs' licenses, providing a penalty for a violation of the restrictions imposed and for the revocation or suspension of restricted licenses; relating to the carrying of a license by the licensee and exhibiting same; prescribing the amount of fees and providing for the collection of same by the Department of Public Safety and the disposition of same; providing for the time of expiration of licenses and for renewal of same; providing for notice to the Department of changes of address or name of licensee; providing for certain records to be kept by the Department of Public Safety; relating to the authority of the Department of Public Safety to suspend, revoke or cancel licenses; providing for time, place and manner of holding hearings before the Department of Public Safety; providing for the period of suspension by the Department; providing for the automatic suspension of licenses upon conviction of certain offenses; providing for the surrender and return of license to the Department upon suspension; providing for court to forward license to Department and report convictions and defining 'conviction' and providing that a suspended sentence shall not mitigate against automatic suspension of license on conviction of certain offenses; prohibiting the operation of motor vehicle under foreign license during suspension or revocation in this State; providing authority of the Department of Public Safety to suspend or revoke license and to suspend privileges of non-residents and report convictions, and to suspend resident license upon conviction in another state; providing for the cancellation of licenses under certain conditions; providing for the right of appeal when license denied or canceled, suspended or revoked by Department, except where such suspension or revocation is automatic; prohibiting the driving of motor vehicle while license or privilege is canceled, suspended or revoked; and making it unlawful to commit certain other acts; providing authority of the Department of Public Safety to require accident reports and providing a penalty for failure to report; providing for forms of accident statistics and reports and making such reports confidential; providing

for a penalty for violation of the Act; and providing for a maximum fine in certain instances; repealing all laws and parts of laws in conflict herewith, and particularly Senate Bill 15, Chapter 466, Page 1785, General Laws, Second Called Session, Forty-fourth Legislature, as amended by House Bill 16, Chapter 369, Page 752, Regular Session Forty-fifth Legislature; providing a saving clause, declaring an emergency and providing the Act shall take effect from and after its passage."

Referred to the Committee on State Affairs.

By Mr. Reed of Dallas:

H. B. No. 21, A bill to be entitled "An Act to amend H. B. 144 of the 45th Legislature by striking out Section 4 of said Act and substitute in lieu thereof, a provision providing for an appropriation fund to pay salaries, compensation, and other expenses of said Board; repealing all laws in conflict with this Act; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Nicholson, Mr. Kinard and Mr. Lowry:

H. B. No. 22, A bill to be entitled "An Act making an appropriation for use and benefit of the Lower Neches Valley Authority; designating who may sign warrants; providing for repayment to the State; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Nicholson, Mr. Kinard and Mr. Lowry:

H. B. No. 23, A bill to be entitled "An Act making an appropriation for the purpose of removing the remains of Captain William A. Logan, and/or erecting a monument at the grave of said Texas patriot; providing for the right of private donation to participate in the expense; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Heflin:

H. B. No. 24, A bill to be entitled "An Act to amend Section 5 of Chap-

ter 42, General Laws of the State of Texas, passed by the 41st Legislature, Second Called Session, as amended by Section 5 of Chapter 282, Acts of the Regular Session of the 42nd Legislature; also amending Section 5 (a), Chapter 282 of the General Laws of the State of Texas passed by the 42nd Legislature, Regular Session, which further amended Section 5, Chapter 42 of the General Laws of the State of Texas, passed by the 41st Legislature, Second Called Session; repealing Section 5 (b), Chapter 282 of the General Laws of the State of Texas, passed by the 42nd Legislature, Regular Session; also amending Section 6, Chapter 282 of the General Laws of the State of Texas, passed by the 42nd Legislature, Regular Session, which further amended Section 5, Chapter 42 of the General Laws of the State of Texas passed by the 41st Legislature, Second Called Session; and also amending Section 6, Chapter 42 of the General Laws of the State of Texas passed by the 41st Legislature, Second Called Session; also amending Section 11, Chapter 282, of the General Laws of the State of Texas, passed by the 42nd Legislature, Regular Session, which amended Section 15 of Chapter 42, General Laws of the State of Texas, 41st Legislature, Second Called Session, known as Section 15 (a), fixing the load limit which may be lawfully carried on commercial motor vehicles, truck-tractors, trailers or semi-trailers on the public highways outside of the limits of an incorporated city or town; providing means for the enforcement of the provisions of this Act; providing penalties for violation of any provision of this Act; providing injunctive relief for violation of any provision of this Act; providing that the unconstitutionality of any part or parts of this Act shall not affect the validity of the remaining parts thereof; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Bell, Mr. Hartzog, Mr. Sharpe, Mr. Lock, Mr. Kersey, Mr. Deen, Mr. Kinard, Mr. McMurry, Mr.

Lowry, Mr. Cleveland, Mr. Bean, Mr. Chambers, Mr. Benton, Mr. Moore, Mr. Garland, Mr. Coker, Mr. Carlton, Mr. King, Mr. Murray, Mr. Evans, Mr. Howington, Mr. Senterfitt, Mr. Dickson of Nolan, Mr. Pevehouse, Mr. Skiles, Mr. Manning, Mr. Morris, Mr. Shell, Mr. Celaya, Mr. Taylor, Mr. Harris of Dallas and Mr. Klingeman:

H. B. No. 25, A bill to be entitled "An act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature as heretofore amended, by adding Sections 1a and 1b hereto; excepting from the definition of 'Motor Carrier' and 'Contract Carrier' certain persons, firms and corporations; exempting certain persons, firms and corporations transporting under certain circumstances and conditions their own employees, property or property in which they have an interest as consignee or agent; defining a private motor vehicle owner; exempting private motor vehicle owners from said Act; providing for the repeal of all laws and parts of laws in conflict with this Act; providing that if any section, clause or provisions of this Act be held unconstitutional or invalid, it shall not affect the remaining portions; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Alsup:

H. B. No. 26, A bill to be entitled "An Act to amend Section 6A of Chapter 36, of the General Laws of the 43rd Legislature, Third Called Session, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Stinson:

H. B. No. 27, A bill to be entitled "An Act providing for the disposition of property and insurance where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto, and providing that this Act shall not be retroactive; and that same shall not apply if decedent provides otherwise; and providing for uniform interpretation; that this

Act may be cited as 'The Uniform Simultaneous Death Act'; repealing all laws and parts of laws inconsistent herewith; providing for severability; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Stinson:

H. B. No. 28, A bill to be entitled "An Act providing that death shall not be presumed from mere absence of a person; that such a person has been exposed to specific peril of death shall be considered by the court or a jury; providing that no provision concerning the effect to be given to evidence of absence of death in any insurance policy hereafter executed or adopted should be valid; providing for a period in which to bring suit upon a claim of death and the evidence and notice pertaining thereto; providing for the appointment of a receiver of the property of the person who disappears under certain conditions, and fixing the qualification, powers and duties of such receiver; providing for the manner and time of notice under this Act; providing for search for such absentee and for final hearing and finding of the court and decree that the absentee is dead, and for the certification of such proceedings to the probate court and for final finding and decree and disposition of the property of deceased, and that no action shall be brought by such absentee to recover any portion of the property after the final finding and judgment provided in this Act; providing for the winding up of the receivership and of the termination of the proceedings and the distribution of the property of the absentee; providing for the distribution of any sums unpaid under any policies of insurance upon the life of the absentee and for the determination of a contested claim, and providing for the payment of the surrender value of any policy if in any proceedings under this Act it is found that the absentee is not deceased; providing for the payment under certain conditions to the Treasurer of the State and the disposition of such funds; providing for uniform interpretation, a short title, and repealing all laws or parts

of laws inconsistent herewith; providing for severability and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Fuchs and Mr. Chambers:

H. B. No. 29, A bill to be entitled "An Act to amend Chapter 5, Title 14, of the Revised Criminal Statutes of Texas of 1925, as amended, by amending Articles 1037 and 1037a relating to weights and measures, and by adding the new Articles numbered as follows: Articles 1037b, 1037c, 1037d, 1037e, 1037f, 1037g, 1037h, 1037i, and 1037j; prohibiting the sale, use, or possession of false weights, measures, or weighing or measuring devices and weights, measures, or weighing or measuring devices which have not been sealed by a weights and measures official; prohibiting the sale and use of devices which have been condemned for repairs; prohibiting the sale of commodities contrary to law; requiring commodities to be sold by weight, measure, or numerical count; regulating the packing and marking of packages and containers; requiring the net quantity of contents of such packages or containers to be plainly and conspicuously marked on the outside of package or container; requiring the name and address of manufacturer, packer, or distributor on packages; providing for certain variations in weight; prohibiting deceptive pack; providing for standard of fill of containers; providing for standards for the sale of butter, bread, milk, meat and meat food products, including poultry; prohibiting misrepresentation of price or quantity of commodity, thing, or service; providing for establishment of rules and regulations, including a standard net weight, net measure, or net numerical count for commodities, products or articles, and including certain exemptions; defining certain terms; providing penalties for the enforcement of the Act; repealing all laws in conflict; including a saving clause; and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Fuchs and Mr. Chambers:

H. B. No. 30, A bill to be entitled "An Act to amend Chapter 7, Title 93, of the Revised Civil Statutes of Texas of 1925, as amended, pertaining to weights and measures, and the Babcock Test for Butterfat, by amending Articles 5714, 5736b, and 5736c, by adding a new article to be numbered 5714a; providing for the promulgation of specifications, tolerances, and regulations for commercial weighing and measuring devices; providing for the approval of pattern for commercial weighing and measuring devices; repealing the penalty in Articles 5714; providing for the licensing of samplers and testers of milk and cream; providing for deposit of fees in State Treasury for enforcement of Act; eliminating substitute tester; reducing penalty provided in Article 5736c; repealing all laws in conflict herewith; including a saving clause; and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Clark:

H. B. No. 31, A bill to be entitled "An Act to provide that in all suits on account of the defalcation of, or misapplication or misappropriation of money by, any public officer in this State the official bond or bonds of such officers executed after this Act takes effect shall inure to the benefit of the persons aggrieved by such defalcation, misapplication or misappropriation occurring during the period covered by such bonds, and that for all purposes of limitation such suits by such persons on such bonds shall be considered and treated as actions for debt founded upon a contract in writing and governed by the four years statute of limitation."

Referred to the Committee on Judiciary.

By Mr. Clark:

H. B. No. 32, A bill to be entitled "An Act making it unlawful and a felony for any person to steal any mercury used in a gas meter or measuring device or regulating device, providing for a penalty for violation of the terms of this Act, providing that it shall be prima facie evidence

that mercury has been stolen to have such mercury in one's possession or to transport the same without a bill of sale or, not having a bill of sale, to be otherwise unable to establish title thereto; defining the term 'steal' and providing that such word need not be defined in any indictment for prosecution under the terms of this Act, and providing that the Act shall be cumulative of all laws of the State, and authorizing the prosecution thereunder whether or not the Acts complained of constitute the essential elements of other or different offenses against the penal laws, providing a saving clause and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Reed of Bowie:

H. B. No. 33, A bill to be entitled "An Act repealing House Bill No. 170, Chapter 91, Acts of the First Called Session of the Forty-first Legislature of the State of Texas, 1929; and Chapter 206 of the Acts of the Regular Session of the Forty-second Legislature, same being House Bill No. 768; and providing for the creation of a Legislative Audit Committee, fixing its duties; and providing for the appointment of a State Auditor by said Legislative Audit Committee, prescribing the qualifications, duties of said State Auditor and fixing his compensation; providing for the necessary assistants for said State Auditor and fixing their qualifications and compensation; providing for payment of salaries, travel, and other expense of the office of State Auditor; providing for the removal of the State Auditor and his assistants or any of them under certain conditions; providing a method of filling any vacancy in the office of State Auditor and personnel in said office; prescribing penalties; creating and providing a uniform budget system for the State and all counties, cities, towns, villages, independent school districts, common school districts; designating the Governor as the chief budget officer of the State; providing for the appointment of a Director of the Budget, fixing his compensation, qualifications, powers, duties and tenure of office; prescribing the duties of the Governor in the prepara-

tion of the budget and budget bills; fixing the responsibility for the preparation of the budget; providing time for its adoption; prescribing the procedure governing the adoption of budgets of all counties, cities, towns, villages, independent school districts, and common school districts; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Stinson, Mr. Isaacks and Mr. Howard:

H. B. No. 34, A bill to be entitled "An Act to provide for the appointment of Commissioners to the National Conference of Commissioners on Uniform State Laws; providing their terms of office; defining their duties and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Winfree, Mr. Montgomery, Mr. Heflin, Mr. Morse and Mr. Howard:

H. B. No. 35, A bill to be entitled "An Act providing for the appraisal of property, real and personal, when sold under execution or other judicial order of sale, or under a deed of trust, mortgage or other contract lien; providing for the appointment of appraisers; providing that no such sale shall be consummated unless the highest bid at the sale is at least seventy-five per cent (75%) of the appraised value of the property; making provision for subsequent levies and sales, and for bond as to personal property; repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Alsup (by request):

H. B. No. 36, A bill to be entitled "An Act making it the duty of the Game, Fish and Oyster Commission to provide open season, bag limits, and other regulations governing the taking of wild birds and wild mammals and fresh water fish; giving directions for issuing such regulations and the effective date of same; repealing conflicting laws; providing a suitable penalty; and declaring an

emergency; and the effective date of this Act."

Referred to the Committee on Game and Fisheries.

By Mr. Morris, Mr. Carlton, Mr. Crosthwait, Mr. Kersey, Mr. Bean, Mr. Little, Mr. Brown, Mr. Markle and Mr. Reed of Bowie:

H. B. No. 37, A bill to be entitled "An Act amending Article 4006 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. McLellan, Mr. Lansberry, Mr. Lyle, Mr. Thornton, Mr. Walters, Mr. Coker, Mr. Hobbs, Mr. Clark, Mr. Spacek, Mr. Rampy, Mr. Huffman, Mr. Ellis, Mr. Hoyo, Mr. Ridgeway and Mr. Morgan:

H. B. No. 38 A bill to be entitled "An Act amending Article 4006 of the Revised Civil Statutes of 1925, as amended, so as to include the families of superannuated, pensioned, and furloughed employees named in exceptions to the Free Pass, Franks, and Transportation Title of the Revised Civil Statutes of 1925."

Referred to the Committee on Common Carriers.

By Mr. Kennedy:

H. B. No. 39, A bill to be entitled "An Act amending Article 4006 of the Revised Civil Statutes of Texas of 1925, as amended, to extend the provisions of the free pass law to include the families of furloughed, pensioned, and superannuated employees; and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Reed of Dallas, Mr. Harris of Dallas, Mr. Stinson, Mr. Hanna, Mr. Crosthwait and Mr. Blankenship:

H. B. No. 40, A bill to be entitled "An Act amending Article 4006 of the Revised Civil Statutes of Texas of 1925 and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Reed of Bowie:

H. B. No. 41, A bill to be entitled "An Act providing that there shall hereafter be paid out of the revenue of this State, on the last day of each month, to each actual bona fide citizen of this State over the age of sixty-five (65) years the sum of Fifteen Dollars (\$15) per month as an old age pension, providing that no habitual criminal, and no habitual drunkard, which such habitual drunkard and no inmate of any State supported institution, while such inmate, shall be eligible for such old age pension, providing that pensions shall be paid equally and uniformly; providing that the ability of relatives shall not be considered in passing on the eligibility of applicant; providing that the length of time of actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for old age pension and continuously for one year immediately preceding such application; providing that the officers charged with the administration of this Act shall receive from the Government of the United States financial aid for old age assistance; and that they shall pay out such old age assistance received from the Government of the United States to those persons in need as provided herein and all such funds shall be kept and disbursed separately; providing that the State Department of Welfare and the County Judges and Commissioners Court of the respective counties shall administer this Act; providing the method and procedure by which applicants may qualify for and obtain such old age assistance; defining the duties of the State Department of Welfare and the County Judges and Commissioners Court in connection with the administration of this Act, giving the right of appeal; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Humphrey:

H. B. No. 42, A bill to be entitled "An Act providing a unified, comprehensive code of procedures for fi-

nancial administration, including financial planning and budgeting, accounting and financial control, current auditing of receivables and receipts and preauditing of expenditures, purchasing and property control, and management of general government buildings; creating a Governor's Cabinet, a Department of Finance and Control, a Director of the Budget, a Director of Purchasing, a Division of Accounting, and prescribing their power and duties, a Classified Civil Service based upon the merit system for Personnel Administration, an Advisory Personnel Council; prescribing methods of procedures for personnel administration, and creating an auditor of State, a Commissioner of Institutions, and prescribing their powers and duties; making transfers of functions from existing officers and other agencies to the agencies so created; abolishing certain agencies; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof, repealing all laws and parts of laws in conflict herewith, prescribing penalties for violations of provisions of this Act, and declaring time of going into effect."

Referred to the Committee on State Affairs.

By Mr. Blankenship:

H. B. No. 43, A bill to be entitled "An Act to amend Chapter 495, Article 3, Section 4, Paragraph (d), Acts of the Third Called Session of the Forty-fourth Legislature; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Halsey:

H. B. No. 44, A bill to be entitled "An Act to amend Articles 195 and 196, Revised Civil Statutes of 1925, State of Texas, fixing the time of taking effect of this Act, and declaring an emergency."

Referred to the Committee on Congressional and Legislative Districts.

By Mr. Sharpe, Mr. Hutchinson and Mr. Daniel:

H. B. No. 45, A bill to be entitled "An Act to create a Texas Defense Guard in the State of Texas during such time as any part of the National Guard is in active Federal Service, and to provide for the organization, maintenance, training and discipline thereof, and declaring an emergency."

Referred to the Committee on Military Affairs.

By Mr. Sharpe, Mr. Kersey, Mr. Moore and Mr. Connelly:

H. B. No. 46, A bill to be entitled "An Act amending Section 2 of House Bill 258, Chapter 125, page 229, of the General Laws of the Regular Session of the Forty-fifth Legislature, levying and appropriating the proceeds of a designated tax upon gross fire insurance premium receipts, less reinsurance and return premiums paid policyholders, to the Fireman's Relief and Retirement Fund created by said Chapter 125 of the Acts of the Regular Session of the Forty-fifth Legislature; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Sharpe, Mr. Kersey, Mr. Moore, Mr. Allison, Mr. Lehman and Mr. Connelly:

H. B. No. 47, A bill to be entitled "An Act amending Senate Bill No. 402 of the Regular Session of the Forty-sixth Legislature relating to discounts for advance payments of ad valorem taxes so as to make the discount mandatory by the State and all its political subdivisions, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Sharpe and Mr. Hughes; Mr. Roark, Mr. Reed of Bowie, Mr. Huffman, Mr. Connelly, Mr. Bean, Mr. Moore, Mr. Lansberry, Mr. Spacek, Mr. Manning, Mr. Morgan, Mr. Murray, Mr. Deen, Mr. Evans, Miss Files, Mr. Love and Mr. Manford:

H. B. No. 48, A bill to be entitled "An Act amending Section 2 of Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, as amended by Sec-

tion 1 of Chapter 12, House Bill No. 55, Acts of the Forty-third Legislature, First Called Session, as amended by Section 4 of Article IV, Chapter 495, House Bill No. 8, Acts of the Forty-fourth Legislature, Third Called Session, relating to the monthly payment of occupation tax on oil produced in this State, providing for monthly payment of ten (10) cents per barrel of forty-two (42) standard gallons of oil, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Sharpe and Mr. Hughes; Mr. Connelly, Mr. Huffman, Mr. Lansberry, Mr. Isaacks, Mr. Moore, Mr. Spacek, Mr. Bean and Mr. Love:

H. B. No. 49, A bill to be entitled "An Act amending Section 40A of Article 7047, Revised Civil Statutes, 1925, as amended by Acts 1931, Forty-second Legislature, page 355, Chapter 212, Section 1, as amended by Acts 1936, Forty-fourth Legislature, page 2040, Chapter 495, House Bill No. 8, Article IV, Section 6, to provide for the payment of a quarterly occupation tax of Four Dollars and No Cents (\$4.00) per long ton of all sulphur produced within the State of Texas, providing for the manner and conditions of payment, the penalties for nonpayment, and the disposition of said funds, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Turner:

H. B. No. 50, A bill to be entitled "An Act pertaining to the purchase of bricks and/or cement by the State from private sources; providing that where bricks or cement are used in State owned buildings and highways only State manufactured bricks or cement shall be used; authorizing the construction and operation of a State plant for the manufacture of bricks and cement to be operated with prison labor; providing for an advisory board and prescribing its duties; providing for a superintendent of such plant and prescribing his duties; providing that the Board of Control shall regulate priorities of allotment of bricks and cement to different State de-



partments; providing that purchases from private sources of bricks and cement may be made only when the State plant cannot supply the demand, and providing further that the Board of Control shall determine when such situation exists and shall make such purchases; providing that no sales of State made bricks or cement shall be made to private persons or corporations; providing that no appropriations shall be made for purchases of bricks or cement by any State department; providing that all requisitions for bricks and cement for State owned buildings must show purposes for which such bricks and cement are to be used, and that such requisitions must be approved by the respective department heads, and submitted to the Board of Control and printed in their reports; providing an appropriation and a revolving fund; providing for penalties; repealing all laws or parts of laws in conflict herewith; providing that if any section, clause or provision of this Act shall be held unconstitutional or invalid it shall not affect the remaining portions; and declaring an emergency."

Referred to the Committee on Penitentiaries.

By Mr. Blankenship:

H. B. No. 51, A bill to be entitled "An Act to amend Article 4766 Revised Civil Statutes of 1925 as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas Securities' as used in Title 78, Chapter 4, of the Revised Statutes of 1925 shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust or other valid lien upon unencumbered real estate situated in the State of Texas, the title to which real estate is valid and the market value of which is forty (40%) per cent more than the amount loaned thereon, and also to include first liens upon leasehold estate in real property and improvements thereon, the title to which is valid and the leasehold on which has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon

such leasehold estate shall not exceed a period of ten (10) years; and declaring an emergency.'

Referred to the Committee on Insurance.

By Mr. Lowry:

H. B. No. 52, A bill to be entitled "An Act providing for the creation of a Legislative Council and prescribing its powers and duties; making an appropriation therefor; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Howington and Mr. Chambers:

H. B. No. 53, A bill to be entitled "An Act making theft of peanuts or peanut hay a felony; prescribing penalties therefor, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Sharpe (by request):

H. B. No. 54, A bill to be entitled "An Act to repeal all of Title 95, Revised Civil Statutes, 1925, constituting Articles 5892 inclusive; to repeal Chapter 8, Criminal Code, 1925, Articles 1594 to 1612 inclusive; providing for ingress and egress of persons employed; providing for escapement shafts; providing a penalty of mine operators for violation; providing for methods for safety installation of shafts, cages and passways; providing for props and timbers in mine shafts; providing for the blocking off of abandoned portions of operated mines; providing for proper ventilation; providing against fire damps; providing for the speed mining cages to be operated; providing for devices to lock landing platforms; providing for regulations for the handling of powder; providing for safety lamps; providing against any workman injuring safety or mining equipment; providing for the posting of mining rules; providing for weighing scales and weighman; providing for the kind of oil that shall be used for lighting purposes; providing for the insulation of live wires; providing for the maintenance of a map of the mine; providing for the length of

time animals may be kept in a mine with certain exceptions; providing for bathing facilities; placing the enforcement of this Act under the Commissioner of the Bureau of Labor Statistics; providing for the appointment of a mining inspector, making an appropriation; providing for monthly reports to be made to the Commissioner of the Bureau of Labor Statistics; providing for a penalty; providing for unconstitutional sections of the Act; providing for the repeal of conflicting laws; and declaring an emergency."

Referred to the Committee on Labor.

By Mr. Bridgers:

H. B. No. 55, A bill to be entitled "An Act to amend Article 2847 of the Revised Statutes relating to the filing of bids for the furnishing of textbooks to the State by adding to said Article a provision requiring that all textbooks to be used in the public schools of Texas shall be printed in the State of Texas from and after the year 1943."

Referred to the Committee on Public Printing.

By Mr. Gilmer:

H. B. No. 56, A bill to be entitled "An Act to extend the time for the payment of all notes or obligations executed by purchasers of school land for the unpaid balance of principal due the State thereon until November 1, 1951; amending Article 5312, Revised Civil Statutes, 1925; amending Article 5326, Revised Civil Statutes, 1925; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Sharpe, Mr. Kersey, Mr. Moore, Mr. Allison, Mr. Lehman and Mr. Connelly:

H. B. No. 57, A bill to be entitled "An Act authorizing the Boards of School Trustees of Independent School Districts and County Boards of School Trustees to employ visiting teachers and school psychologists, setting forth qualifications of visiting teachers and school psychologists prescribing their duties, defining their status, and prescribing how they should be paid; providing

a saving clause, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Reed of Bowie, Mr. Huddleston and Mr. Connelly:

H. B. No. 58, A bill to be entitled "An Act to amend the subject matter embraced in Section 2 of Chapter 162, Acts of the Forty-third Legislature, Regular Session, as amended by Section 1, Chapter 12, Acts of the First Called Session of the Forty-third Legislature, as amended by H. B. No. 8, Chapter 495, Article 4, Section 4, Acts of the Third Called Session of the Forty-fourth Legislature; Section 40A of Article 7047, Revised Civil Statutes, 1925, as amended by Acts of the Forty-second Legislature, 1931, Regular Session, page 355, Chapter 212, Section 1, as amended by H. B. No. 8, Chapter 495, Article 4, Section 6, Acts of the Third Called Session of the Forty-fourth Legislature; Article 7060, Revised Civil Statutes of 1925, as amended by Chapter 34, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Article 4, Section 3, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature; Article 7070, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Article 4, Section 1, H. B. No. 8; providing for the levying of certain taxes and their allocation and defining certain terms, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Stinson, Mr. Crosthwait, Mr. Connelly, Mr. Huddleston and Mr. Kinard:

H. B. No. 59, A bill to be entitled "An Act repealing House Bill No. 170, Chapter 91, Acts of the First Called Session of the Forty-first Legislature of the State of Texas, 1929; and Chapter 206 of the Acts of the Regular Session of the Forty-second Legislature, same being House Bill

No. 768; and providing for the creation of a Legislative Audit Committee, fixing its duties; and providing for the appointment of a State Auditor by said Legislative Audit Committee, prescribing the qualifications, duties of said Auditor and fixing his compensation; providing for the necessary assistants for said State Auditor and fixing their qualifications and compensation; providing for payment of salaries, travel, and other expense of the office of State Auditor; providing for the removal of the State Auditor and his assistants or any of them under certain conditions; providing a method of filling any vacancy in the office of State Auditor and personnel in said office, prescribing penalties; creating and providing a uniform budget system for the State and all counties, cities, towns, villages, independent school districts, common school districts; designating the Governor as the chief budget officer of the State; providing for the appointment of a Director of the Budget, fixing his compensation, qualifications, powers, duties and tenure of office; prescribing the duties of the Governor in the preparation of the budget and budget bills; fixing the responsibility for the preparation of the budget; providing time for its adoption; prescribing the procedure governing the adoption of budgets of all counties, cities, towns, villages, independent school districts, and common school districts; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Heflin and Mr. Kinard:

H. B. No. 60, A bill to be entitled "An Act empowering the Board of Insurance Commissioners to prescribe maximum rates of commissions or other remuneration which may be paid to local recording agents by insurance companies; defining the term 'local recording agent'; regulating the time and manner in which the Board shall prescribe maximum commissions; prohibiting the paying or receiving of commissions greater than as fixed by the Board; providing penalties; providing notice and hearing before the entering of orders by the Board and for access to the courts; providing that if any part of

this Act is held unconstitutional, it shall not affect the validity of the remainder; repealing laws in conflict, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Walters, Mr. Alsup, Mr. Love, Mr. Skiles, Mr. Stinson, Mr. Cleveland, Mr. Weatherford, Mr. Eubank, Mr. Goodman, Mr. McLellan, Mr. Duckett, Mr. Carlton, Mr. Reed of Dallas, Mr. Kersey, Mr. Ferguson, Mr. McAlister, Mr. Lehman, Mr. Gandy, Mr. Harris of Dallas, Mr. Crosthwait, Mr. Kinard, Mr. Craig, Mr. Klingeman, Mr. King, Mr. Favors, Mr. Lucas, Mr. Morgan, Mr. Stanford, Mr. Cato, Mr. Montgomery, Mr. Murray, Mr. Deen, Mr. Rampy, Mr. Martin, Mr. Ellis, Mr. Hanna, Mr. Matthews, Mr. Connelly, Mr. Dove, Mr. Huddleston, Mr. McCann, Mr. Bullock, Mr. Senterfitt, Mr. Burnaman, Mr. Carrington, Mr. Reed of Bowie, Mr. Bean, Mr. Lyle, Mr. Thornton:

H. B. No. 61, A bill to be entitled "An Act to amend the subject matter embraced in Section 7, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session; providing for determining the amount of contributions by employers and defining certain terms, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Montgomery, Mr. Murray, Mr. Deen, Mr. Rampy, Mr. Martin, Mr. Ellis, Mr. Hanna, Mr. Matthews, Mr. Connelly, Mr. Dove, Mr. Huddleston, Mr. Stanford, Mr. McCann, Mr. Bullock, Mr. Gandy, Mr. Senterfitt, Mr. Burnaman, Mr. McLellan, Mr. Cato, Mr. Skiles and Mr. Carrington:

H. B. No. 62, A bill to be entitled "An Act to amend the subject matter embraced in Section 7, Chapter 482, General and Special Laws of

the Forty-fourth Legislature, Third Called Session, as amended by Section 3, Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Section 4, Chapter 2, General Laws, Forty-sixth Legislature, Regular Session; providing for determining the amount of contributions by employers and defining certain terms, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Huffman, Mr. Isaacks, Mr. Bridgers, Mr. Bean, Mr. Baker, Mr. Leyendecker, Mr. Morse, Mr. Sharpe, Mr. Benton, Mr. Connelly, Mr. Kinard, Mr. Evans, Mr. Hanna and Mr. Huddleston:

H. B. No. 63, A bill to be entitled "An Act making an appropriation of \$1,500,000 to the Texas State Parks Board for the purpose of acquiring property within the area which was designated and established by Chapter 4 of the Acts of the Regular Session of the Forty-sixth Legislature as the Big Bend National Park in Brewster County, Texas, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Chambers, Mr. Howington, Mr. Murray, Mr. Deen, Mr. Lock, Mr. Ferguson, Mr. Avant, Mr. Fitzgerald, Mr. Bell and Mr. Skiles:

H. B. No. 64, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing this Act shall not validate the organization or creation of any district, or consoli-

dation or annexation of any district in or to such district where the same is now involved in litigation or where suit or litigation is filed with reference thereto within forty-five (45) days after the effective date of this Act; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating bond assumption elections and all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate heretofore authorized or attempted to be authorized by any act or acts of said districts, or by any Act of the Legislature; making certain exemptions; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Isaacks:

H. B. No. 65, A bill to be entitled "An Act to amend Article 193, Revised Civil Statutes of the State of Texas, Acts of the 1st C. S., 1921, p. 230, apportioning the State into Senatorial Districts agreeably to the provisions of Sections 25 and 26 of Article 3 of the Constitution of the State of Texas; and declaring an emergency."

Referred to the Committee on Congressional and Legislative Districts.

By Mr. Isaacks:

H. B. No. 66, A bill to be entitled "An Act to amend Article 2007 of the Revised Statutes of Texas as amended by the Acts of 1939 by Senate Bill No. 70, and Article 2008 of the Revised Civil Statutes of Texas, by providing that defendant filing a plea of privilege shall endorse upon his plea his Post Office address and that service of a copy of a controverting plea showing the date of the hearing on such plea may be had by registered mail directed to the party claiming such privilege at the Post Office address given on the plea of privilege; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Isaacks:

H. B. No. 67, A bill to be entitled "An Act to amend Article 1923 of the Revised Civil Statutes of Texas of 1925, concerning the extension of terms of district courts, so as to provide for the extension of the term of any trial court of record, and providing the procedure for extension and adjournment; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Isaacks:

H. B. No. 68, A bill to be entitled "An Act authorizing any County in the State, after an affirmative vote of the qualified voters of the County in favor thereof, and providing for the calling of an election by the Commissioners' Court, at the instance of the court or upon petition of a percentage of the qualified voters of the County, to establish Civil Service for certain of the employees of the county government, and the election or appointment of a Civil Service Commission, and providing for the jurisdiction of said commission, designating the employees subject to civil service, and providing that the commission may adopt a code of rules and regulations, and classifying all County employees, and providing for competitive examinations for applicants, and providing that this law shall in nowise interfere with the power of the Commissioners' Court to establish the number of employees and the wages and salaries to be paid them, and to abolish any position or place of employment in the exercise of the powers now granted to Commissioners' Courts; repealing all laws in conflict and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Smith of Atascosa:

H. B. No. 69, A bill to be entitled "An Act to amend Section 5, Chapter 136, Acts of the Regular Session of the Thirty-ninth Legislature, providing that anyone may construct on his own property a dam or reservoir to contain not to exceed fifty acre-feet of water for domestic and live

stock purposes without securing a permit therefor, and declaring an emergency."

Referred to the Committee on Live Stock and Stock Raising.

By Mr. Isaacks and Mr. Bridgers:

H. B. No. 70, A bill to be entitled "An Act to promote the proper conservation and wise utilization of the State's underground waters; declaring the waters of underground streams, channels, artesian basins, reservoirs, or lakes, having reasonably ascertainable boundaries, in the interest of the public, should be subject to regulation and appropriation in the manner and for the uses named in the Act; providing for the filing of application for, hearing thereon, and granting of permits to appropriate underground waters named in the Act for irrigation, industrial use, public parks, game preserves, recreation and pleasure purposes, and for the construction and operation of waterworks for cities and towns; providing that the Act shall not be construed as requiring a permit to appropriate such water for the irrigation of a lawn or garden not exceeding two acres in area; providing that as between appropriators, the first in time shall be the first in right, and that all appropriations or allotments of water hereafter made for any purpose other than municipal, shall be granted subject to the right of any city or town or municipality to make further appropriations of said water thereafter for domestic and municipal purposes; providing for recording of permits; declaring beneficial use to be the basis, the measure and limit to the right to the use of the waters described in the Act; recognizing and protecting existing rights; providing for the filing and recording of declaration of existing rights; prescribing how the location of wells or the use to which water is put, may be changed; providing fees to be collected by the State Board of Water Engineers in the administration of the Act; prescribing a penalty for the willful taking, diversion or appropriation of public underground waters without first complying with all the provisions of the Act; defining waste and prescrib-

ing a penalty therefor; providing that every permit granted and every water right acquired under the provisions of the Act shall be contingent upon continued use of such water for a beneficial use; providing for a hearing, on whether or not permit or water right has been abandoned and for recording Board's findings; providing that the Act shall not be construed as repealing or altering any other Act of the Legislature of Texas concerning the conservation, protection, preservation and distribution of underground waters, but are additions thereto; providing that the Board of Water Engineers shall have power to formulate rules and regulations for administering this Act; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Isaacks:

H. B. No. 71, A bill to be entitled "An Act to amend Article 195, Revised Civil Statutes of the State of Texas, Acts of the 2nd C. S., 1921, p. 264, apportioning the State into Representative Districts agreeably to the provisions of Sections 25 and 26 of Article 3 of the Constitution of Texas; and declaring an emergency."

Referred to the Committee on Congressional and Legislative Districts.

By Mr. Morse:

H. B. No. 72, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, 1925, as amended by Chapter 60, House Bill 120, Acts of the Regular Session of the Forty-fifth Legislature; provided further that when a person is charged by indictment or information with driving while intoxicated, that evidence as to the amount of alcohol in the defendant's blood at the time of the alleged offense, as shown by chemical tests or analyses of the breath, urine, blood or other bodily substance, shall be admissible in evidence upon the issue of intoxication; and to provide that any Peace Officer in this State, upon arresting a person for driving while intoxicated, may have such chemical tests or analyses made at the time of the arrest, with or without the consent, expressed or implied, of the person

so charged, by any person licensed to practice medicine in the State of Texas or by any laboratory technician working under said licensed practitioner or by any laboratory technician employed in any clinic or chemical laboratory of the State or any county or any municipality in the State; and to provide that upon the trial of said person, if such tests or analyses show .05% or less by weight of intoxicating liquor in the blood of said defendant at the time of the alleged offense, such evidence shall be prima facie evidence of the innocence of defendant; if such tests or analyses show .15% or more by weight of intoxicating liquor in the blood of defendant at the time of the alleged offense, such evidence shall be prima facie evidence of the guilt of defendant; if such tests or analyses show more than .05% and less than .15% by weight of intoxicating liquor in the blood of said defendant at the time of the alleged offense, such evidence shall be relevant but not prima facie evidence either of the guilt or innocence of defendant; and to provide that if any part or parts of this Act shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the other provisions of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Isaacks:

H. B. No. 73, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, as amended by Acts of 1937, 45th Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or in any degree under the influence of intoxicating liquors, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said Article from a penitentiary offense to a jail sen-

tence, and increasing the minimum penalty thereof; and providing further that if such drunken driver shall be the cause of an accident whereby the death of another person shall be caused, he shall be guilty of a felony, and upon conviction he shall be confined in the penitentiary for not less than one year nor more than five years; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Stanford and Mr. Carrington:

H. B. No. 74, A bill to be entitled "An Act to amend Article 2970, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, as amended by Section 2 of Chapter 2, Acts of the Forty-sixth Legislature, Regular Session, 1939, page 296, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Stanford and Mr. Carrington:

H. B. No. 75, A bill to be entitled "An Act to amend Article 2961 and Article 2962 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Dwyer:

H. B. No. 76, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before July 1, 1940, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district and other defined subdivisions of the State provided same are paid on or before June 1, 1941, and providing further that this Act releasing penalties and interest shall not apply to cities, towns and villages and special school districts and independent school districts unless and until the governing body thereof finds that unusual or excessive default in the payment of ad valorem and poll taxes has oc-

curred, and that an extension of time for the payment of said ad valorem and poll taxes will accelerate the payment thereof; and such governing body has adopted a resolution of ordinance evidencing such finding, and upon the recording of such findings of fact shall have the authority to put in force and effect the provisions hereof as to any such city, town or village or special school district or independent school district, providing for the release of costs under certain circumstances; providing that any one desiring to pay at one time all delinquent taxes for any one year on the same property may so pay without paying other delinquent taxes on the same; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing that if any section, clause, sentence, paragraph or part of the Act be judged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Act; stating the policy of the Legislature; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Stanford and Mr. Carrington:

H. B. No. 77, A bill to be entitled "An Act to amend Section 8 of Chapter 282, Acts of the Regular Session, Forty-second Legislature, 1931, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Manning, Mr. Coker, Mr. Hargis and Mr. Burnaman:

H. B. No. 78, A bill to be entitled "An Act to provide for agreements between the Commissioners' Court of any county in this State, for and on behalf of the county and political subdivisions thereof, and the United States, relative to resettlement of rural rehabilitation projects, and providing for the payment by the United States to the county of sums in lieu of taxes; defining the duties of the county treasurer pertaining to such agreement and to the apportionment of payments from the United States thereunder; prescrib-

ing the method of determining the sums of money to be paid by the United States in lieu of taxes; providing for the depositing of moneys received from the United States and defining terms."

Referred to the Committee on Judiciary.

By Mr. McMurry, Mr. Heflin, Mr. Bell, Mr. Blankenship, Mr. Vale, Mr. Hanna, Mr. Huddleston, Mr. Harris of Dallas and Miss Files:

H. B. No. 79, A bill to be entitled "An Act amending Article 4604c, Revised Civil Statutes of Texas, as enacted by Acts of the Forty-first Legislature, 1929, Regular Session, page 260, Chapter 114, providing that each of the parties entering into a contract of marriage in Texas be thoroughly examined by a physician legally licensed to practice medicine in Texas, who at the time of said examination caused to be made of specimens taken from such persons standard serological tests and such other laboratory procedures as are essential to the determination of freedom from syphilis and all other venereal diseases; providing that such physicians shall issue such certificates under specified conditions; providing for certain statements from persons in charge of laboratories making the tests called for by the Act; providing that certain reports shall be retained by examining physicians for a period of five (5) years; granting the right to the State Department of Health to inspect clinical laboratories issuing certificates called for by this Act and to make certain written recommendations for the improvement thereof; providing for certain emergencies and conditions thereto; providing for free laboratory tests as called for by this Act for all indigent persons; defining certain terms; providing that nothing in the Act shall impair or affect existing laws or rules relative to reports of cases of venereal diseases; establishing certain procedures to be followed by county clerks issuing marriage licenses; providing penalties for violation of provisions of the Act; providing that if any particular section or portion of the Act is held unconstitutional or inoperative, such shall not affect any other section or portion of the Act; de-

claring certain legislative intent; and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Hoyo and Mr. Ridgeway:

H. B. No. 80, A bill to be entitled "An Act providing for the employment in all counties having a population of not less than three hundred and twenty thousand (320,000) nor more than three hundred and fifty thousand (350,000), according to the last preceding Federal Census, of two (2) rural school supervisors; prescribing the qualifications and duties of said supervisors and defining their powers; providing the compensation to be paid to such supervisors and the method of paying same; providing the County Board of School Trustees shall have the power to discontinue the office of such supervisors whenever advisable; providing that in compliance with this Act in any of the counties affected hereby shall exempt the County Superintendent from holding a Teachers Institute, and shall exempt the teachers from attending Teachers Institute, as now required by Article 2691, Revised Civil Statutes, of Texas, 1925, as amended, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Stanford and Mr. Carrington:

H. B. No. 81, A bill to be entitled "An Act to amend Article 5221-b-17, Subsection 6, providing exemption of student nurses, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Kinard:

H. B. No. 82, A bill to be entitled "An Act providing that no person in the active military service of the United States shall hold or exercise any civil office or employment in Texas and that the entering of such service shall vacate any office or employment; prohibiting any accounting officer of this State or any municipality or political subdivision thereof from paying the salary of such person; providing for the repeal



of all laws in conflict; providing that if any part of this Act is held unconstitutional, it shall not affect the validity of the remainder; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Lyle, Mr. Spangler, Mr. Shell and Mr. Smith of Atascosa:

H. B. No. 83, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1942, and August 31, 1943, to aid said district in making the necessary surveys and preparing the necessary plans for its construction program; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Lyle:

H. B. No. 84, A bill to be entitled "An Act creating the 94th Judicial District Court for Nueces County; defining its jurisdiction; adjusting the business of the 28th District Court of Nueces County and the 117th District Court of Nueces County with the court created hereby; prescribing the duties of the District Clerk with respect thereto; and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Smith of Atascosa:

H. B. No. 85, A bill to be entitled "An Act to make it unlawful for any person by word of mouth, writing, sign or symbol to willfully and deliberately advocate, advise or teach the doctrine that the Government of the United States or of any State or of any political subdivision thereof should be overthrown or overturned by force, violence or any unlawful means; or any person who prints, publishes, edits, issues or sells any books, papers, documents or written or printed matter in any form containing or advocating, advising or teaching the doctrine that the Government of the United States or of any State or of any political

subdivision thereof should be overthrown by force, violence or any unlawful means, and who advocates, advises, teaches, or embraces the duty, necessity or propriety of adopting the doctrine contained therein; or any person who organizes or helps to organize or become a member of any society or group of persons which teaches or advocates that the Government of the United States or of any State or of any political subdivision thereof shall be overthrown by force or violence or by any unlawful means, and providing a penalty and an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Anderson, Mr. Dwyer, Mr. Ridgeway and Mr. Hoyo:

H. B. No. 86, A bill to be entitled "An Act to amend Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, page 1993, as amended by Acts of the 45th Legislature, 1937, Chapter 67, page 121, and as amended by Acts of the 46th Legislature, 1939, page 436, so as to make the Texas Unemployment Compensation Law conform to amendments made by the Congress of the United States in 1939 to the Federal Social Security Act, providing additional definitions of the term 'employment,' providing for certain exceptions so that the term 'employment' will not include services performed in any calendar quarter by one in the employ of any organization exempt from the payment of income tax under Section 101 of the Internal Revenue Code, providing that the term 'employment' shall not include services performed by an individual as an insurance agent or as an insurance solicitor if such service is performed for remuneration solely by way of commission, providing that, if any portion of this Act shall be declared unconstitutional and invalid, the remainder shall not be affected thereby, and, further, declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Lyle:

H. B. No. 87, A bill to be entitled "An Act authorizing the qualified

voters of any independent school district situated wholly within one county, and containing not less than ninety square miles in area, and also having an assessed property valuation of not less than thirty-five million dollars (\$35,000,000.00), to determine whether or not any such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed one dollar twenty-five cents (\$1.25) on the one hundred dollars valuation in any one year; providing that said tax shall be authorized, levied, assessed and collected under provisions of the law applicable to independent school district taxes; validating elections heretofore held in any such district at which a tax for the amount and purposes stated was authorized by the qualified voters voting on the proposition; validating all acts and proceedings of the county board of school trustees of the county in which any such independent school district is situated increasing the area of such independent school district; validating all acts and proceedings of the board of trustees of any such independent school district in respect to increasing the area thereof; providing that where any such independent school district has been converted into a junior college district, and has been continuously recognized as a junior college district by the State Board of Education, all acts or proceedings of the board of school trustees of the county in which such junior college district is situated, increasing the area of such junior college district so that the boundaries thereof will be the same as the boundaries of such independent school district, are hereby legalized, approved and validated; providing that all acts or proceedings of the board of education of any such junior college district in respect to increasing the area thereof so that the boundaries of the junior college district will be coterminous with the boundaries of such independent school district, which acts or proceedings have been approved by the board of county school trustees, are hereby legalized, approved and validated; providing the provisions hereof shall not apply to any such proceedings, the validity

of which have been contested in any pending suit or litigation; providing that if any part of this Act be held unconstitutional, it shall not affect any other part of this Act; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Alsup and Mr. Lock:

H. B. No. 88, A bill to be entitled "An Act to amend Section 1, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 1, Chapter 23, Acts 1939, Forty-first Legislature, Fifth Called Session, defining 'Commercial Motor Vehicle'; Section 6, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of Commercial Motor Vehicles; Section 7, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of road tractors; Section 8, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of trailers or semi-trailers; Section 8A, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of motor busses; Section 8B, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prohibiting registration of commercial motor vehicles size of which are illegal with certain exceptions; repealing all laws in conflict herewith and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Harris of Dallas:

H. B. No. 89, A bill to be entitled "An Act to prohibit the sale of real estate by virtue of any power of sale contained in any mortgage, trust deed or other conveyance in the nature of a mortgage, and to provide that mortgages, deeds of trust and conveyances in the nature of a mortgage shall only be foreclosed by an action in court and that no real estate shall be sold to satisfy a mortgage, deed of trust or a conveyance in the nature of a mortgage,

except pursuant to a judgment or decree of a district court; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Fuchs and Mr. Chambers:

H. B. No. 90, A bill to be entitled "An Act to license and regulate persons engaging in the business of constructing, reconstructing, repairing, altering, installing or adjusting weights, scales or weighing devices; providing for registration fees and for examinations of applicants for licenses; providing for issuance of renewal licenses on payment of renewal fees; providing for the deposit of fees in the State Treasury; providing that a firm, partnership, corporation, company or association may engage in the business of scale repairman in this State, if such business is carried on by only scale repairmen licensed and registered in this State; providing for the keeping of certain records; providing for enforcement of the Act including the promulgation of rules and regulations not inconsistent herewith by the Commissioner of Agriculture; providing for the revocation and suspension of licenses; providing certain exemptions; providing penalties for violation of the Act; repealing all laws in conflict; including a saving clause; and prescribing the effective date."

Referred to the Committee on State Affairs.

By Mr. Kersey:

H. B. No. 91, A bill to be entitled "An Act to amend Article 4565c, Chapter Ten (10), Title 71 of the Revised Civil Statutes of Texas, 1925, so as to define certain terms; and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Kersey:

H. B. No. 92, A bill to be entitled "An Act to amend Article 4566-1 as added by the Forty-sixth Legislature, page 360, Section 16, by repealing same; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Kersey:

H. B. No. 93, A bill to be entitled "An Act to amend Article 4565d of Chapter ten (10), Title 71 of the Revised Civil Statutes of Texas, 1925, so as to define certain terms; and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Hoyo and Mr. Ridgeway:

H. B. No. 94, A bill to be entitled "An Act to amend Section 2, Chapter 446, Page 1049, Forty-fifth Legislature, Regular Session 1937, pertaining to the issuance of a warrant of arrest in judicial proceedings in lunacy cases, form and requisites thereof and return to the County Judge whereby the Sheriff or Constable executing said warrant with the consent of the Superintendent of any State Hospital may place said person in a place especially provided therefor at such Hospital to be remanded to the Sheriff or Constable to be taken before the County Judge, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Hoyo and Mr. Ridgeway:

H. B. No. 95, A bill to be entitled "An Act authorizing the Commissioners Court of any county having a population of not less than three hundred twenty thousand (320,000), and not more than three hundred sixty thousand (360,000), according to the last United States Census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said County to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purposes of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Sharpe:

H. B. No. 96, A bill to be entitled "An Act amending Senate Bill No. 170, Chapter 253, Acts of the Forty-second Legislature, Regular Session, Pages 420 and 421; providing for

the establishment of the State Prison Psychopathic Hospital as a part of the Prison System of the State of Texas; and providing who may be committed thereto; providing for proceedings for commitment and admission of certain dangerous insane inmates of State Hospitals; providing for the appointment of a Medical Director and other employees and for the promulgation of rules and regulations by the Board of Prison Managers; providing a saving clause; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Lyle:

H. B. No. 97, A bill to be entitled "An Act authorizing navigation districts created under any of the provisions of the constitution or laws of this State in addition to the powers heretofore conferred by law to acquire, extend, construct, repair, build, develop and maintain certain improvements in aid of deep water navigation without taxation and to borrow money therefor from the federal government or any other source and to issue and deliver evidences of such indebtedness payable only out of the net revenues of the district and to encumber any of the properties and facilities and revenues of the district including those for which the funds are borrowed, all as additional security, providing remedies in case of default, to grant to the purchaser of said properties at foreclosure sale a franchise under stipulated terms and for not more than twenty years, and to enter into all necessary agreements to carry out the provisions hereof, providing that this Act shall not be construed as repealing any other laws of this State applicable to the subject matter hereof, providing for methods of procedure in creating the indebtedness and encumbering the properties to secure the same; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Hardeman, Mr. Gilmer, Mr. Heflin, Mr. Rampy and Mr. Isaacks:

H. B. No. 98, A bill to be entitled "An Act authorizing and directing the Board of Regents of the Univer-

sity of Texas to request the War and Navy Departments of the United States to establish and maintain military and naval training at said institution; and authorizing the Board of Regents to enter into contracts for such purposes; authorizing the Board of Regents to establish regulations as to credit toward degree requirements; providing the training shall not be required for entrance or graduation; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Kersey:

H. B. No. 99, A bill to be entitled "An Act to amend Article 738a as added by the Acts of the Forty-sixth Legislature, Page 360, Section 12, to the Penal Code of Texas, 1925, so as to prohibit certain practices; and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Kersey:

H. B. No. 100, A bill to be entitled "An Act to amend Article 4566, Chapter 10, Title 71 of the Revised Civil Statutes of Texas, 1925, so as to prescribe certain exceptions; and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Favors:

H. B. No. 101, A bill to be entitled "An Act amending Article 2250, R. C. S. (1925), so as to authorize an appeal from certain interlocutory orders of the County Court, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Favors:

H. B. No. 102, A bill to be entitled "An Act authorizing the Commissioners' Court of any County of the State of Texas and the City Council of any incorporated city or town to cooperate with any Federal or State agency which may be engaged in the administration of relief to the needy and indigent people of such county or city, and authorizing such Commissioners' Court and City Council to provide facilities for and financial aid to any State and Federal agen-

cies or bureaus which may be engaged in providing relief to the needy and indigent people of such county or city; providing for validation of all actions, proceedings, orders and contracts heretofore made by Commissioners' Courts and City Councils with such Federal and State agencies; providing that if any part of this Act shall ever be held unconstitutional, such holding shall not affect the validity of the remaining portions of this Act; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Favors, Mr. Coker, Mr. Allison, Mr. Love, Mr. Boone and Mr. Manning:

H. B. No. 103, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of Texas of 1925, so as to eliminate the Fifty Cents (50¢) collected for General Revenue purposes, and the Twenty-five Cents (25¢) collected for county purposes, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Lucas, Mr. Knight and Mr. Pevehouse:

H. B. No. 104, A bill to be entitled "An Act providing for the posting of octane number notices by retail dealers of gasoline on pumps or containers from which gasoline is delivered to consumers; providing the procedure for determining the octane rating; providing a maximum tolerance in deficiency shall be allowed; granting powers and imposing duties upon the State Comptroller and other representatives and officers; repealing all laws in conflict herewith; providing a penalty; providing that if any part of this Act shall be declared unconstitutional it shall not affect any other part thereof; providing for certain employes to be appointed by the State Comptroller; providing for the purchase of certain equipment; providing an appropriation, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Duckett:

H. B. No. 105, A bill to be entitled

"An Act to protect our Democracy by clearly defining Criminal Syndicalism and Sabotage, and providing for penalties to be imposed upon persons violating provisions of this Act as to spread or teach or affirmatively suggest criminal syndicalism, or propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or affecting any industrial or political ends, change or revolution; and providing for penalties for misuse of buildings for such purposes; and prohibiting the public display of any red flag or other emblem or banner, indicating disloyalty to the Government of the United States, or belief in doctrines and other un-American activities whose objects are either disruption or destruction of the State of Texas, and to repeal all laws or parts of laws in conflict herewith; and declaring an emergency and fixing effective date of the Act."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Heflin, Mr. Montgomery, Mr. Hardeman, Mr. Morris, Mr. Carlton, Mr. Dickson of Nolan, Mr. Cato, Mr. Bell, Mr. Fitzgerald, Mr. Hanna, Mr. Morse, Mr. Hartzog, Mr. Celaya, Mr. Kinard, Mr. Bean, Mr. McAlister, Mr. Winfree and Mr. Gilmer:

H. B. No. 106, A bill to be entitled "An Act amending Section 3 of Article 8306, Revised Civil Statutes of Texas, 1925, by providing that if associations become insolvent the employer shall be liable for the compensation provided for herein; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mills, Mr. Carlton and Mr. Morris:

H. B. No. 107, A bill to be entitled "An Act amending Article 5155 of the Revised Civil Statutes of Texas, 1925, by adding thereto a provision that employees on each pay day be furnished a statement of all deductions from wages; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Bean, Mr. Lucas, Mr. Whitesides and Mr. Huddleston:

H. B. No. 108, A bill to be entitled "An Act amending Senate Bill No. 427 of the 46th Legislature and providing for the employment of part-time employees by the heads of departments, boards, or commissions of the State Government; and providing for the salaries of such part-time employees; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Roark and Mr. Henderson:

H. B. No. 109, A bill to be entitled "An Act to amend Article 2955 of the Revised Statutes of the State of Texas, 1925, relating to qualifications to vote."

Referred to the Committee on State Affairs.

By Mr. Whitesides and Mr. Howard:

H. B. No. 110, A bill to be entitled "An Act to create and dedicate a State Park in the County of Cherokee, two (2) miles Northeast of the Town of Rusk, to include the homestead of General Joseph L. Hogg, the birthplace of Governor James Stephen Hogg, such as now owned by the descendants of James Stephen Hogg and the Town of Rusk and such adjacent land as may be acquired by the State Parks Board by donation as a part of the park to be established, said park to be known as the Jim Hogg Memorial Park; providing for commissioners to serve without pay; and providing an appropriation; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Whitesides and Mr. Howard:

H. B. No. 111, A bill to be entitled "An Act to amend Title 116, Article 6674q, Section 7, Paragraph (a) of the Revised Civil Statutes of the State of Texas, 1925, with reference to administrative provisions enacted for the allocation of funds from gasoline tax as amended by Acts of the Forty-sixth Legislature, 1939, as set out in Session Laws of the Forty-

sixth Legislature, Acts of 1939, page 582, Paragraph (a) in Section 6 of said Act, to provide for the eligibility of defined Road Districts to participate in the distribution of moneys coming into the County and Road District Highway Fund for the payment of bonds voted by such Road District prior to January 2, 1939; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Kinard, Mr. Halsey, Mr. Manning, Mr. Bullock, Mr. Clark, Mr. Coker, Mr. McAlister, Mr. Harris of Dallas and Mr. Carlton:

H. B. No. 112, A bill to be entitled "An Act to amend Articles 195 and 196, Revised Civil Statutes of 1925, State of Texas, and declaring an emergency."

Referred to the Committee on Congressional and Legislative Districts.

By Mr. Heflin:

H. B. No. 113, A bill to be entitled "An Act to levy, collect and enforce payment of an annual license tax upon itinerant nonresident photographers or transient makers of photographs within this State; providing for the allocation of any funds that may be derived from the enforcement of this Act, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Heflin:

H. B. No. 114, A bill to be entitled "An Act to regulate and control the practice of photography and defining the same and requiring a certificate of registration as a condition precedent to any party practicing photography, and prescribing the terms and conditions upon which certificates may be issued to any party to practice photography in the State of Texas; creating the State Board of Photographic Examiners; defining and declaring its powers and duties; prescribing a course of study and requirements; imposing certain fees upon persons applying for certificates to practice photography in Texas, imposing certain annual license fees upon employers and pho-

tographers practicing photography in Texas, appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Heflin:

H. B. No. 115, A bill to be entitled "An Act to amend Title 15, Chapter 14 of the Penal Code of Texas, 1925, relating to the offense of negligent homicide, by inserting in the Penal Code a new article defining the offense of negligent homicide by motor vehicle or motorcycle, and fixing the punishment therefor, and providing that it shall not be necessary in any indictment, information, or complaint hereunder to set out and enumerate any specific acts of negligence, and repealing Articles 1230, 1231, 1235, 1237, 1238, 1239, 1240, 1242, and 1243 of the Penal Code of Texas, 1925, in so far as the same may be in conflict herewith, but not otherwise; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Heflin:

H. B. No. 116, A bill to be entitled "An Act to amend Article 2970, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, as amended by Section 2 of Chapter 2, Acts of the Forty-sixth Legislature, Regular Session, 1939, page 296; repealing all laws and parts of laws in conflict; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Heflin:

H. B. No. 117, A bill to be entitled "An Act to amend Article 2961 and Article 2962 of the Revised Civil Statutes of Texas, 1925; repealing all laws and parts of laws in conflict; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Heflin:

H. B. No. 118, A bill to be entitled

"An Act defining and regulating the sale and/or resale of used and/or second-hand watches in the State of Texas; defining terms used therein; specifying acts constituting offenses and providing penalties therefor; providing that if any provisions of this Act shall be held unconstitutional or invalid, the remainder shall not be affected thereby, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. McMurry, Mr. Lock, Mr. White, Mr. Bundy, Mr. Leyendecker, Mr. Chambers, Mr. Bray, Mr. Lowry, Mr. Parker and Mr. Kinard:

H. B. No. 119, A bill to be entitled "An Act creating a commission to be known as Oil and Gas Commission of Texas; providing for the appointment of the members of such Commission by the Governor; fixing the terms of the members of such Commission; providing for the organization and chairman of such Commission; providing for the qualifications of the members of such Commission; providing that each member of such Commission shall give his full and undivided attention to the duties of his office; providing that the term of any member of such Commission shall immediately cease and determine if he accepts or holds any other public office or public employment, or if he becomes a candidate for election or nomination to any public office; providing that any member of such Commission shall be ineligible to election to public office at certain times under certain conditions; providing that a majority of the members of such Commission shall have authority to act; providing for the domicile of the principal office of such Commission, the appointment of a secretary of such Commission, and the duties of such secretary; providing for authority to certify copies of certain instruments and providing for receiving same in evidence in all courts of this State; providing for the payment of salaries to the members of such Commission; withdrawing from the Railroad Commission of Texas and conferring upon the Oil and Gas Commission of Texas all of the powers, duties, jurisdiction, and authori-

ty now conferred upon the Railroad Commission of Texas by Title 102, Revised Civil Statutes of Texas, 1925, as amended, and by Acts 1931, Forty-second Legislature, Regular Session, Chapter 58, page 92, as amended by Acts 1933, Forty-third Legislature, Regular Session, Chapter 97, page 215, and by Acts 1931, Forty-second Legislature, First Called Session, Chapter 26, page 46, and by Acts 1931, Forty-second Legislature, First Called Session, Chapter 28, page 58, and by Acts 1935, Forty-fourth Legislature, Regular Session, Chapter 76, page 180, as amended by Acts 1937, Forty-fifth Legislature, Regular Session, Chapter 15, page 17, and by Acts 1939, Forty-sixth Legislature, Regular Session, H. B. 851, page 500, and Acts 1935, Forty-fourth Legislature, Regular Session, Chapter 28, page 74, and Acts 1935, Forty-fourth Legislature, Regular Session, Chapter 245, page 618, and Acts 1935, Forty-fourth Legislature, Regular Session, Chapter 246, page 624, and Acts 1937, Forty-fifth Legislature, Regular Session, Chapter 367, page 746; providing that the provisions of Articles 6024, 6025, 6026, 6027, and 6028 shall apply to both the Railroad Commission of Texas and the Oil and Gas Commission of Texas; providing that all of the existing provisions of the statutes and legislative Acts and the amendments thereto, the administrative functions of which are withdrawn from the Railroad Commission of Texas and conferred upon the Oil and Gas Commission of Texas, shall apply and be enforced and construed as though the Oil and Gas Commission of Texas had at all times been the administrative agency with respect thereto; providing that the rules, regulations and orders of the Railroad Commission which cover subject matter within the jurisdiction of the Oil and Gas Commission of Texas shall remain in full force and effect until they are changed, amended or repealed by the Oil and Gas Commission, and until such change, amendment or repeal, they shall be considered to be the rules, regulations and orders of the Oil and Gas Commission of Texas; transferring to the Oil and Gas Commission of Texas all of the em-

ployees of the Oil and Gas Division of the Railroad Commission of Texas who are employed pursuant to the functions hereby conferred upon the Oil and Gas Commission of Texas; transferring to the Oil and Gas Commission of Texas the books, records, property and equipment now held and used by the Railroad Commission pursuant to the functions now conferred upon such Oil and Gas Commission; transferring to the use of the Oil and Gas Commission the Oil and Gas Enforcement Fund provided for in Article 6032, Revised Civil Statutes of Texas, 1925, as amended; providing, however, that the Railroad Commission of Texas shall continue to have and perform all the functions, powers, authority, and duties now imposed upon it by Sections 1, 2, 3, 4, 5, 6a, and 7 of Acts 1931, Forty-second Legislature, First Called Session, Chapter 28, page 58, and by Articles 6050, 6051, 6052, 6054, 6055, 6056, 6057, 6058, 6059, 6060, 6061, 6062, 6063, 6064, 6065, Revised Civil Statutes of Texas, 1925, and Articles 6053 and 6066 thereof, as amended; providing that no violations committed and no liability, penalty or forfeiture incurred prior to the effective date of this Act, arising out of the violation of any statute or law affected by this Act or of any rule, regulation or order of the Railroad Commission of Texas promulgated pursuant thereto, shall be discharged by this Act, but prosecutions and suits for same shall be, nevertheless, instituted and prosecuted; providing that if any portion of the Act is unconstitutional it shall not affect the valid portions thereof; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Klingeman, Mr. Alsup, Mr. Pevehouse:

H. B. No. 120, A bill to be entitled "An Act amending Articles 697 and 698 of the 1925 Revised Criminal Statutes of Texas by providing that it shall be the duty of the Attorney General to prosecute violations under said Articles for the penal offense committed or to prevent the violation and by further providing in said Article 697 that the terms of same



shall apply to all officers of municipal and private corporations; by amending Article 698 by defining person who shall be charged with pollution; by defining the term pollutant; charging the State Department of Health and the Game, Fish, and Oyster Commission with the duty of enforcing the provisions of said Article 698; providing that it shall be the duty of the Attorney General, when requested to do so by the County and/or District Attorney and/or the Game, Fish, and Oyster Commission and/or the State Department of Health to assist in the prosecutions of violations of this Article and to enforce the same by writ of injunction; providing that actions for violations of provisions of this Article shall be brought by the prosecuting attorney of any county having venue of said actions, and granting such prosecuting attorney power to enforce this article by writ of injunction; providing that complaint may be filed and venue may lie and injunction proceedings may be brought in certain counties of this State other than in which the offense occurs; providing a penalty for violation of said Article 698, and disposition of fines collected, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Stanford, Mr. Morris and Mr. Carlton:

H. B. No. 121, A bill to be entitled "An Act defining and regulating hospitals, sanitariums or infirmaries; providing for the licensing thereof; providing for inspection and reports in regard thereto; providing for revocation, suspension and refusal of license, and fees to be charged therefor; providing for appeal; allowing rules and regulations to be promulgated by the State Board of Health; providing for the disposal of fees and fines; prescribing penalties for the violation of the provisions of this Act and declaring certain legislative intent, and for other purposes, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Stanford, Mr. Morris and Mr. Carlton:

H. B. No. 122, A bill to be entitled "An Act to amend Article 4590-a, Revised Civil Statutes of Texas, 1925, providing for the chartering of non-profit corporations to be organized for the purpose of furnishing group hospital service, and to provide for the methods of operation, regulation and supervision of such corporations and of their contracts; providing exemption from Title 78 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Sharpe, Mr. Connelly, Miss Files and Mr. Skiles:

H. B. No. 123, A bill to be entitled "An Act providing for the revision and compilation of the abstracts of patented, titled and surveyed land by the Commissioner of the General Land Office; making an appropriation for the printing and binding of same; providing for the distribution and sale of same by the Comptroller of Public Accounts; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Smith of Atascosa:

H. B. No. 124, A bill to be entitled "An Act to amend Article 4629 of the Revised Civil Statutes of Texas, as amended, by striking out certain words therein, and providing for an emergency."

Referred to the Committee on Judiciary.

By Mr. Rhodes:

H. B. No. 125, A bill to be entitled "An Act providing for the collection of delinquent taxes, dismissing pending suits, and all pending sales by Assessor-Collector in conflict with this Act; defining delinquent taxes and limiting penalties; requiring delinquent tax records up to and including March 1, 1941; providing for court of inquiry, designating its membership; time of meeting; defining its duties, and the duties of taxing units regarding corrected assessments; requiring delinquent tax list to be prepared and posted; making provisions for the payment of delinquent taxes; directing each local

taxing unit to authorize state and county tax Assessor-Collector to collect, receipt for and remit delinquent taxes due said units; providing the method and manner delinquent tax notice is to be given and for levy; setting out the provisions of said notice; designating the time, place and requisites of sale; execution of tax deed; sale to be made by tax Assessor-Collector in compliance with Section 13, Article 8 of the Constitution; providing for redemption of realty and method of perfecting tax deed, and securing possession, if property is not redeemed; making provisions for back assessing unrendered land where ownership is unknown, and providing method by which a claimant may establish his claim to such lands; declaring certain improvements personalty, providing for the appointment of a tax receiver, and defining his duties; providing for the sale of other personal property for delinquent taxes, interest and cost, and precluding the right of redemption, and enjoining penalty on those interfering with said delinquent tax sale; providing for the appointment of a State Delinquent Tax Supervisor, and the appointment by him of assistants and employees, giving qualifications, duties, fixing bonds and salaries; setting aside in special fund a percentage of delinquent taxes collected, for payment of expenditures authorized in this Act; making an appropriation out of the State's General Fund for initial expenses, and providing for its reimbursement out of the Tax System Fund; providing that real estate assessed and valued in lump sum may be treated as one tract in the sale of the property for delinquent taxes, but owner may designate portion to be sold for taxes; designating county taxes and city taxes; prohibiting personal judgment for delinquent taxes on real property; prohibiting contracts for the collection of delinquent taxes on a percentage basis; defining tax units; providing for the removal of any officer or employee who fails or refuses to perform the duties required of him or her under this Act; requiring public officials and employees to pay their taxes; providing for the termination of the provisions of this Act on September 1, 1946, and for

the assumption of the duties in connection herewith by the Comptroller's Office, under such rules and regulations as may be prescribed by the Legislature; declaring the invalidity of any provision of this Act shall not affect the validity of any other provision, repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. McCann, Mr. Senterfitt and Mr. Reed of Bowie:

H. B. No. 126, A bill to be entitled "An Act providing for a processing tax of one cent (1¢) per gallon on all combustible condensates, such as refined gasoline, naphtha, casinghead gasoline, natural gasoline, drip gasoline, and all other combustible condensates of crude petroleum, natural gas, or any other product by any method of refining, manufacturing, processing, separating, extracting, compounding, blending, or storing, whether manufactured within or without this State by any person, agent, manufacturer, producer, corporation, partnership, association, or otherwise, in any refinery, manufacturing plant, processing plant, separating plant, extracting plant, compounding plant, blending plant, storage plant, or any other place or by any other method used for the purpose of producing or storing combustible condensates; providing for penalties for violation of this Act; providing penalties for evasion of this Act; providing for production records to be kept and penalties for refusal or neglect in rendering reports; providing for penalties for failure to remit tax; providing for tax to be paid at point of production or storage; providing for allocation of funds derived from this tax for enforcement and to the credit of the Old Age Assistance Commission, the Available School Fund, the Teachers Retirement Fund, the County and Road District Highway Fund, the State Highway Department Fund; repealing Article 7065a-2, the four cent gasoline tax; repealing all laws or parts of laws in conflict herewith; providing a savings clause and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Hileman and Mr. McCann:

H. B. No. 127, A bill to be entitled "An Act amending Article 7046, Revised Civil Statutes of Texas, 1925, providing that a poll tax of One Dollar (\$1.00) only, shall be collected on every person between the ages of 21 and 60 years, making certain exceptions; providing that no poll tax shall be levied for General Revenue purposes, and that no county shall levy a poll tax; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Lowry:

H. B. No. 128, A bill to be entitled "An Act to provide for the enlistment, organization, maintenance, equipment, and discipline of a Woman's Home Guard of Texas, to protect and provide medical and surgical assistance when an emergency might exist, and to cooperate with any other organization, providing for an oath of office, court martial, immunity from arrest while on duty, and providing a safety clause, and declaring an emergency."

Referred to the Committee on Military Affairs.

By Mr. Favors:

H. B. No. 129, A bill to be entitled "An Act amending Article 6008 of the Revised Civil Statutes of Texas, as amended by Chapter 120, Acts of the Forty-fourth Legislature, Regular Session, providing for the use of sweet and other natural gas under certain conditions for the manufacture of carbon black; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Duckett:

H. B. No. 130, A bill to be entitled "An Act amending Section 13, House Bill 247, Chapter 44, General Laws of the 43rd Legislature, Regular Session, as amended by Section 12, House Bill 749, Chapter 240, General Laws of the 44th Legislature, Regular Session; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Cleveland, Mr. Chambers, Mr. Ellis, Mr. Bullock and Mr. Sharpe:

H. B. No. 131, A bill to be entitled "An Act levying gross receipts taxes on wholesale and retail merchants, and severance taxes upon those producing sulphur, natural gas, and oil, for the purpose of providing revenues to pay Old Age Assistance, and to enable the State to meet its obligations to the Destitute Children, Needy Blind, and Teachers Retirement Fund; defining certain terms; providing for the collection of such taxes; allowing certain exemptions; providing how tax shall be paid and for reports to the Comptroller; providing for checking of Comptroller's records by the State Auditor; imposing penalties both civil and penal for failure to report and pay such taxes; enacting provisions necessary in the aid of collection of such tax; providing for venue of certain suits; providing for injunction proceedings when necessary; delegating certain duties to the Comptroller, Attorney General and County and District Attorneys; providing for certain employees and how salaries shall be paid; allocating the revenues derived from this Act; and providing a saving clause."

Referred to the Committee on Revenue and Taxation.

By Mr. Benton, Mr. Mills and Mr. Evans:

H. B. No. 132, A bill to be entitled "An Act providing further safeguards for public educational funds; and providing for the filing with the State Superintendent of Education affidavits in forms to be prescribed by the Attorney General swearing allegiance to the United States of America; pledging support and defense of the Constitution; and providing further support to representative forms of government; and providing any teachers or instructors in tax-supported schools, colleges, or universities in this State who shall expound doctrines which are in any way inimical to the Constitution of the United States to be dismissed from such service; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Kersey:

H. B. No. 133, A bill to be entitled "An Act providing for the levying of a tax on each and every transaction as defined in this Act; providing for the collection of such tax and exempting certain transactions; making production of natural resources a transaction subject to the transaction tax; providing severance tax on natural resources in event transaction tax cannot be lawfully levied; defining certain terms used in this Act; exempting certain transactions from the taxes herein levied; providing that in certain instances the tax shall be paid by affixing transaction tax stamps; fixing the venue of suits for collection of taxes and all suits brought by taxpayers against the Comptroller in a court of competent jurisdiction in Travis County, Texas; limiting the use of injunction against the payment of taxes; granting to the Comptroller authority to issue all necessary rules, regulations and definitions necessary to enforce the collection of taxes hereunder; authorizing the Comptroller to collect registration fees, to require the registration of persons subject to the tax; authorizing the Comptroller to employ necessary personnel to collect said taxes; authorizing the Comptroller to prescribe the forms and reports to be required of taxpayers; authorizing the Comptroller to examine books, records and accounts to ascertain if taxes are due the State; prescribing methods whereby the Comptroller may enforce the collection of taxes; authorizing the State Board of Control to design and have manufactured metal tokens and transaction tax stamps and prescribing the method whereby this shall be accomplished; authorizing the exchange of stamps or tokens under certain conditions; prescribing the duties of the State Treasurer in connection with this Act; appropriating funds to be used by the Comptroller in the enforcement of this Act; allocating one-fourth of the revenue to the Available School Fund and three-fourths to the State Department of Public Welfare Fund; making it the duty of the State

Treasurer on the first day of each month, beginning September 1, 1941, to transfer certain funds to the Teacher Retirement Fund and setting aside remaining revenue to pay aid for dependent children, aid for the indigent blind, and old age assistance; prescribing penalties for the violation of this Act; providing that all revenue now being paid into the State Department of Public Welfare Fund which is derived from the sale of cigarettes, intoxicating liquor, wine and beer shall hereafter be paid into the General Fund; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Daniel and Mr. Hutchinson:

H. B. No. 134, A bill to be entitled "An Act providing for the granting and issuance of easements or surface leases to the United States of America by the School Land Board on any island, salt water lake, bay, inlet, or marsh within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas, for any purpose essential for the National Defense; retaining for the State of Texas all oil and gas and other mineral rights in and under such areas; providing that the consideration to be paid the State therefor shall be agreed upon by the School Land Board and the United States of America; subordinating all existing grass leases to such easements or surface leases; providing for the suspension of the primary and principal terms and rental obligations of existing oil and gas leases affected hereby for the duration of such easements or surface leases upon the filing of the subordination agreements by holders of such oil and gas leases; providing for notice to such oil and gas lessees of the termination of such easements or surface leases; excluding from the terms hereof all areas where oil, gas or other mineral production exists; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Daniel and Mr. Hutchinson:

H. B. No. 135, A bill to be entitled "An Act declaring the purpose of the Legislature in matters affecting the collection of State taxes, fees and other moneys, establishing a centralized tax administration in the office of the State Comptroller of Public Accounts; requiring all State officers, departments, boards, bureaus, commissions, institutions, and their agents who are authorized to collect State taxes, fees and other moneys, to use the forms in collecting and reporting collection of taxes, fees, etc., prepared and prescribed by the State Comptroller; empowering the State Comptroller to prepare and prescribe all forms to be used in the collection, reporting and accounting for State taxes, fees, and other moneys collected; giving to the State Comptroller supervision of the collection of all State taxes, fees and other moneys; requiring all State officers, agents, etc., collecting State taxes, fees, etc., to report to the Comptroller; requiring certain facts and information to be included in the reports to the State Comptroller; requiring payments of State taxes, fees, and other moneys made by check, draft, etc., to be made payable to the State Treasurer; providing for the issuance of receipts in certain cases; creating a State Revenue Tax Stamp Board; defining the powers of the State Revenue Tax Stamp Board; defining the powers of the State Comptroller in designing, printing, and engraving Texas State Revenue tax stamps; providing for the sale of State Revenue tax stamps; establishing in the office of State Treasury a simplified system of accounts by abolishing certain special funds and providing for a system of classified funds; requiring accounts in lieu of special funds; establishing a general tax fund and requiring all moneys in existing special funds to be placed in the General Fund; providing penalties for violation of this Act; fixing the date on which this Act shall become effective; making an appropriation of Ten Thousand (\$10,000) Dollars; repealing all laws and parts of laws in conflict with this Act; and declaring an emergency.

Referred to the Committee on State Affairs.

By Mr. Daniel, Mr. McLellan, Mr. Brown, Mr. Lowry, Mr. Kinard, Mr. Duckett, Mr. Montgomery, Mr. Nicholson and Mr. Hutchinson:

H. B. No. 136, A bill to be entitled "An Act to promote, encourage, increase, and stimulate the use and sale of rice; to promote the prosperity and welfare of rice growers and producers in the State of Texas through the conducting of a publicity, sales promotion and development campaign; to conduct research in and develop new uses for rice and rice products; to levy and impose a tax or assessment on rice milled in the State of Texas, and to provide for the collection thereof to create a rice development fund; to create a rice development commission to administer and to control the rice development campaign, and to provide the powers, duties and authority and to define the terms of office of said commission; to provide when and how said levy or tax shall be paid and collected; to provide penalties for the violation of this Act; to provide for cooperation and joint action in said development campaign with officers, boards, commissions, departments or other authorities created or which may be created in the State of Louisiana and Arkansas upon which similar powers, duties and purposes have been or may be conferred; to repeal all laws or parts of laws in conflict herewith; fixing the effective date of the Act; and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Ferguson:

H. B. No. 137, A bill to be entitled "An Act granting to Arol Kerley and W. E. Pendergrass permission and right to sue the State of Texas and the Railroad Commission of the State of Texas, for damages arising from the following claim: That on September 21st, 1940, while said parties were travelling in an automobile on the Wright City-Henderson Highway, another automobile belonging to the Railroad Commission of the State of Texas, or to the State of Texas, and operated or caused to be operated by said Railroad Commission or the State of Texas, was negligently operated into that in which said parties

were riding, so as to cause injury and damage to them and to said automobile; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Kinard:

H. B. No. 138, A bill to be entitled "An Act repealing House Bills numbered 945 and 946, enacted by the 46th Legislature of the State of Texas, pertaining to hunting and trapping on inclosed or uninclosed land of another in counties having a population of not less than fifteen thousand one hundred forty-nine (15,149) and not more than fifteen thousand three hundred (15,300) inhabitants according to the last preceding Federal Census; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Anderson:

H. B. No. 139, A bill to be entitled "An Act validating all zoning ordinances and amendments thereto heretofore passed by the Legislative Bodies of cities and incorporated villages pursuant to Chapter 283, Acts of the 40th Legislature and declaring such ordinances to be in full force and effect, insofar as the required procedure and public notices for the passage of such ordinances and the publication of such ordinances is concerned, as if passed in strict compliance with all the requirements of Chapter 283, Acts of the 40th Legislature and other applicable general laws of the State of Texas and charter provisions; providing that this Act shall not apply to any proceedings in which the validity of the procedure for the passage of such ordinances or the regularity of the publication of such ordinances has been contested or attacked in suit or litigation which is pending at the time this Act becomes a law; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Skiles and Mr. Goodman:

H. B. No. 140, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to

allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Daniel:

H. B. No. 141, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, bear, fox, or wild turkey or trap or molest same in Liberty County for a period of five years; providing a penalty; repealing all conflicting laws and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Daniel:

H. B. No. 142, A bill to be entitled "An Act making it unlawful to kill or attempt to kill bear, fox or wild turkey or molest same in Hardin County for a period of five years; providing a penalty; repealing all conflicting laws and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Daniel:

H. B. No. 143, A bill to be entitled "An Act making it unlawful to hunt, take or kill any squirrel except during the months of October, November, and December in Liberty and Hardin Counties; providing for a penalty; repealing all conflicting laws and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Daniel:

H. B. No. 144, A bill to be entitled "An Act amending Article 3902, Section 1, of the Revised Civil Statutes of 1925, by adding Section 1b, providing for salaries of heads of departments which may be appointed by the Commissioners' Courts of counties having a population of not less than twenty-four thousand and five hundred (24,500), and not more than twenty-four thousand and seven hundred (24,700), according to the

last Federal Census; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Helpinstill and Mr. Manning:

H. B. No. 145, A bill to be entitled "An Act to amend Article 2687 of the 1925 Revised Civil Statutes of the State of Texas, as amended by the Acts of the Forty-fifth Legislature, by adding thereto a new Section to be known as Article 2687-c, prescribing the time and place of meeting of the County Board of School Trustees; providing for their compensation and providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject and shall in nowise repeal any special or local laws in conflict with this Act.

Referred to the Committee on Education.

By Mr. Bean, Mr. Isaacks, Mr. Bridgers, Mr. Klingeman, Mr. Chambers, Mr. Evans, Mr. Deen, Mr. Lucas, Mr. Knight and Mr. Moore:

H. B. No. 146, A bill to be entitled "An Act authorizing the Commissioners' Court in all counties in the State of Texas to appropriate from the general fund not more than five (5¢) cents on the One Hundred (\$100.00) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties, and providing for an election authorizing such appropriation; and creating and providing for the appointment of a Board of County Development, devoted to the growth, advertisement and development of such counties and their county seats; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Love, Mr. Manning, Mr. Simpson, Mr. Murray, Mr. Lucas, Mr. Morse, Mr. Bean, Mr. Boone, Mr. Reed of Dallas, Mr. Stubbs and Mr. McAlister:

H. B. No. 147, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of the North

Texas Junior Agricultural, Mechanical and Industrial College at Arlington to the name of North Texas Agricultural College, and placing said college under the Board of Directors of the Agricultural and Mechanical College of Texas; and amending Article 2621 of the Revised Civil Statutes of 1925, changing the status of said Junior College to a standard four year college, and providing for a course of study for the same; and expressly repealing Article 2622 and Article 2623 of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Dickson of Nolan and Mr. Pevehouse:

H. B. No. 148, A bill to be entitled "An Act amending Article 2954, Revised Civil Statutes of Texas, 1925, and providing for the classes of persons which shall not be allowed to vote in this State."

Referred to the Committee on Privileges, Suffrages, and Elections.

By Mr. Stubbs, Mr. Morris, Mr. Pevehouse, Mr. Murray, Mr. Deen, Mr. Chambers and Mr. Parker:

H. B. No. 149, A bill to be entitled "An Act providing for the painting of school busses in a distinctive design of colors of red, white, and blue; and making it unlawful for any vehicle using the public highway for purposes other than the transportation of school children to be painted in a similar design as provided for school busses and providing a penalty; providing that all contracts for the transportation of school children shall provide for vehicles doing such transportation to be painted according to the Statutory design and prohibiting transportation of school children in any vehicles not so painted; providing for the painting of the words 'School Bus' and the word 'Stop'; and declaring an emergency."

Referred to the Committee on Education.

By Mr. Lucas and Mr. Knight, Mr. Dove, Mr. Huddleston, Mr. Connelly, Mr. Sallas, Mr. Brawner, Mr. Rhodes, Mr. Kelly, Mr. Walters, Mr. Stubbs, Mr. Manning, Mr. Bullock,

Mr. Duckett, Miss Files, Mr. Pace, Mr. Deen, Mr. Burnaman, Mr. Spacek, Mr. Bean, Mr. Rampy, Mr. King, Mr. Allison, Mr. Fitzgerald, Mr. Evans, Mr. Howington, Mr. Wattner, Mr. Benton, Mr. Pevehouse, Mr. Chambers, Mr. Murray, Mr. Smith of Bastrop, Mr. Sharpe, Mr. Cato, Mr. Love, Mr. Hargis and Mr. Garland:

H. B. No. 150, A bill to be entitled "An Act appropriating Nine Million Six Hundred Ninety-two Thousand Dollars (\$9,692,000.00) for the school year ending August 31, 1942, Ten Million One Hundred Seventy-six Thousand Six Hundred Dollars (\$10,176,600.00) for the school year ending August 31, 1943, or so much thereof as may be necessary for the purpose of promoting the equalization of educational opportunities afforded by the State of Texas to all children of scholastic age within the State; providing for the creation of a special fund; providing for the allotment for Salary Aid, Transportation Aid, and High School Tuition Aid, and appropriation for administrative expenses; providing for the expenditure of said funds by the State Superintendent of Public Instruction through the Director of Equalization in the Department of Education; attaching conditions, regulations, and limitations relative to the expenditure of such appropriation; providing certain requirements such as scholastic population of districts, distance between schools, tax levy, school budget, and average daily attendance; providing certain requirements of school districts concerning the application for aid; providing school districts teacher-pupil load, providing a maximum salary schedule and other current expenses based upon the teacher unit basis and the length of term; providing \$2 per pupil per month transportation aid for all pupils living more than two (2) miles from school attended and transported in the approved transportation system, such transportation based upon budgetary need and upon a county unit basis; providing high school tuition for high school students whose grades are not taught at home and placing certain restrictions thereon; prescribing certain duties of the State Superintendent in regards to the ad-

ministration of the Act, including the appointment of the required authorized personnel, and providing for appeals from his decisions to the State Board of Education; prescribing the function of the Deputy State Superintendent so appointed; providing for the transfer by contract of one district to another at the option of the school trustees or a majority of the qualified voters of the district; placing restrictions on the disbursement of funds to the district and after the funds are received by such district; providing for counties having no governing school board; making provisions for school districts having University lands or Federal owned lands within such district's boundaries; placing penalties for failure to comply with the law on the part of the district; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Appropriations.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House Joint Resolutions introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Reed of Dallas:

H. J. R. No. 1, Proposing an amendment to Article III of the Constitution of the State of Texas, by adding a new section thereto to be known as Section 49a, requiring all bills passed by the Legislature on and after January 1st, 1945, appropriating money for any purpose to be sent to the Comptroller of Public Accounts, and fixing the duties of the Comptroller with reference thereto; and fixing the duties of the Speaker of the House of Representatives upon the return of any such bill to such Speaker by the Comptroller; and fixing the status of any such appropriation bill when so returned; and fixing the duties of the Governor with reference to all appropriation bills; and requiring the State Treasurer, on or after January 1st, 1945, to submit to the Comptroller of Public Accounts daily report showing condition of all



State funds; and regulating the issuance of warrants by the Comptroller; and providing for the submission of this amendment to the voters as required by the Constitution, and making an appropriation therefor.

Referred to the Committee on Constitutional Amendments.

By Mr. Crosthwait, Mr. Stinson, Mr. Hanna, Mr. Reed of Dallas, Mr. Harris of Dallas and Mr. Blankenship:

H. J. R. No. 2, Proposing an amendment to Section 9 of Article 8 of the Constitution of the State of Texas, by providing that counties may levy, assess and collect such taxes as may be authorized by law but not to exceed eighty cents on the one hundred dollars valuation in any one year; providing such limitation shall not apply to payment of county debts incurred prior to January 1, 1941; providing that, except as otherwise provided in the Constitution, no county shall hereafter become indebted for any purpose to an amount, including existing indebtedness, payable from taxes authorized by said section, in the aggregate exceeding five per centum on the value of taxable property therein, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness; providing that this section shall not be construed as a limitation on powers delegated to counties by any other section of this Constitution; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and ballots thereof, and the method thereof; directing the issuance of proclamation therefor; prescribing certain duties of the Governor of the State of Texas; and making an appropriation to defray the expenses of said election.

Referred to the Committee on Constitutional Amendments.

By Mr. Whitesides, Mr. Reed of Bowie, Mr. Huddleston and Mr. Connelly:

H. J. R. No. 3, Proposing an amendment to the Constitution of the State of Texas to be known as

Section 14a of Article IV; providing that unless there shall be attached to each bill appropriating money when presented to the Governor, a certificate under oath executed by the Comptroller of Public Accounts stating that in the opinion of the Comptroller, the cash from the current revenues of the State not otherwise appropriated will be adequate and available to pay the sums appropriated when due, such bill shall not become a law.

Referred to the Committee on Constitutional Amendments.

By Mr. Lehman, Mr. Fuchs and Mr. Bray:

H. J. R. No. 4, Proposing an amendment to the Constitution of the State of Texas regulating the eligibility of civil officers and employees of this State as candidates for nomination for, or election to, an elective office of honor, trust or emolument.

Referred to the Committee on Constitutional Amendments.

By Mr. Kinard:

H. J. R. No. 5, Proposing amendments to Section 33 and Section 40 of Article 16 of the Constitution of Texas, so as to permit dual office holding by the following classes of persons while they are not in the active military service of the United States: Officers of the National Guard of Texas, The National Guard Reserve, The Officers Reserve Corps of the United States, Enlisted Men of the National Guard, The National Guard Reserve, and The Organized Reserves of the United States, Retired Officers of the United States Army, Navy and Marine Corps, and Retired Warrant Officers and Retired Enlisted Men of the United States Army, Navy and Marine Corps.

Referred to the Committee on Constitutional Amendments.

By Mr. Dickson of Nolan and Mr. Pevehouse:

H. J. R. No. 6, Proposing an amendment to Section 1 of Article VI of the Constitution of Texas, so as to strike therefrom provision "fifth" which prohibits soldiers,

marines and seamen, employed in the Army or Navy of the United States, from voting in this State.

Referred to the Committee on Constitutional Amendments.

#### ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House the following Members were authorized to sign bills as co-authors of same, as follows:

Mr. Pevehouse and Mr. Leyendecker: House Bill No. 8.

Mr. Dwyer, Mr. Ridgeway, Mr. Hoyo and Mr. Spacek: House Bill No. 13.

#### SENATE BILLS ON FIRST READING

The following Senate bills received from the Senate were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 39, to the Committee on School Districts.

Senate Bill No. 41, to the Committee on Education.

#### MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

January 27th, 1941.

To the Members of the Forty-seventh Legislature:

I have been asked by some members of the Senate to submit the subject of load limit on trucks for emergency legislation, in order that it can be considered immediately and so that the Senate will have something to work on during the period when organization of committees and adoption of rules is taking place in the House of Representatives.

In line with the request of these Senators and in view of the serious hardships being caused daily by the restriction of truck load limits to 7,000 pounds, I am submitting as emergency legislation the entire load-limit bill exactly as it now stands on our statute books, with the single exception that the weight

as specified in that bill be changed from 7,000 pounds to 14,000 pounds.

I am submitting it in this form because the emergency is too great to permit a lengthy discussion of the new and fancy bill which is now being proposed by some people. The suggested scientific load-limit bill appears to be entirely too scientific to fit our emergency. Farmers, ranchers and truckers have worried along now for many years and suffered under the most unscientific bill that could possibly be devised. It occurs to me, therefore, that, instead of devoting several weeks or months to academic discussion and scientific argument, we might as well be a little practical and just scratch out the "7,000 pounds" in the present law and insert instead "14,000 pounds," thereby bringing immediate relief to the suffering farmers, stock raisers, and others in this State whose interests are adversely affected by the provisions of the existing statute.

I take it for granted that every member of the Texas Legislature who is sympathetic to the scientific load limit bill is sincere in his opinion that it is a good proposal, and I am one who agrees with that proposition. I am in favor of a scientific load limit bill, but I am fully convinced that to argue out the many intricate details of that proposal, while our load limit remains at 7,000 pounds, will result in such confusion and in such delay that the bill will not be passed.

On the other hand, if you first raise the load limit to 14,000 pounds, I believe a scientific bill can then be passed. At least, the farmers, and stockmen, and others will not suffer while a lengthy debate is in progress.

I have learned much during my brief experience with affairs of state, and one of these lessons which stands out like the proverbial sore thumb is that the diplomatic opponents of certain legislation will say that they are in favor of that legislation and then will start advocating many and devious ways of going about the job, with the sole idea, of course, of stirring up debate, providing reasons for delay, and creating so much dissension that nothing will be accomplished.

While I believe that every member of the Legislature with whom I have talked who favors increasing the load limit, is sincerely in favor of some kind of a scientific load-limit bill, yet I am sure there are other powerful, tactful and influential people outside of the Legislature who oppose raising the truck load limit who are anxious for this scientific load limit bill to be considered because they believe its many details and complexities will cause confusion and dissension among the Legislators who honestly want to raise the load limit, and, after long and heated debate, will eventually end unpassed, leaving on our books for two more years the same unjust load-limit law we now have, and our farmers, ranchers, and other truckers, to suffer for two more years as they have suffered ever since this present unjust load-limit law was enacted.

What the truckers want is to haul more weight on their trucks, so I suggest that, as a first step, we dispense with the frills and give them what they want and what they are entitled to, and then after that is done, use all the time needed in debating the scientific principles of the size of tires, the width of the brakes, the size of the I-beams, the distance between tires, and other matters.

It is my belief that all who are sincere in really wanting to raise the load limit on trucks will join in securing this emergency legislation, and raise the limit first, then after that they can work out the scientific theories, while the truckers go about earning an honest living for their families.

There is not a mile of highway in Texas now on which it is illegal to haul a load of 14,000 pounds. The violation of the law occurs when the 14,000-pound load passes a railroad station. If that is not a silly law and a rank discrimination against every farmer and rancher, and other persons in Texas who want to haul their products by truck, and if it is not class legislation of the worst type, I do not know what you would call it.

I want to again repeat that I realize the making and changing of our laws rests entirely in the hands

of the Legislature. It is only my right to recommend, and this I am now doing.

I recommend that you take prompt action on the attached bill, changing the present 7,000-pound limit to 14,000 pounds, and I submit this bill as emergency legislation.

Most respectfully yours,

W. LEE O'DANIEL,  
Governor of Texas.

Text of bill submitted by Governor:

H. B. No. —.

#### A BILL

#### To Be Entitled

An Act to amend the subject matter embraced in Article 827a, Section 3, Vernon's Revised Civil Statutes, 1925, as amended Acts 1931, Forty-second Legislature, page 507, Chapter 282, Section 3; amending Article 827a, Section 5, Vernon's Revised Civil Statutes, 1925, as amended Acts 1931, Forty-second Legislature, page 507, Chapter 282, Section 5; and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 827a, Section 3, Vernon's Revised Civil Statutes, 1925, as amended Acts 1931, Forty-second Legislature, page 507, Chapter 282, Section 3, be, and the same is, hereby amended so as to read as follows:

"Sec. 3. (a) No vehicle shall exceed a total outside width, including any load thereon, of ninety-six (96) inches, except that the width of a farm tractor shall not exceed nine (9) feet, and except further, that the limitations as to size of vehicle stated in this section shall not apply to implements of husbandry, including machinery used solely for the purpose of drilling water wells, and highway building and maintenance machinery temporarily propelled or moved upon the public highways.

"(b) No vehicle unladen or with

load shall exceed a height of twelve feet six inches (12'6"), including load.

"(c) No motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semi-trailer shall exceed a length of thirty-five (35) feet, and no combination of such vehicles coupled together shall exceed a total length of forty-five (45) feet, unless such vehicle or combination of vehicles is operated exclusively within the limits of an incorporated city or town.

"(d) No train or combination of vehicles or vehicle operated alone shall carry any load extending more than three (3) feet beyond the front thereof, nor, except as hereinbefore provided, more than four (4) feet beyond the rear thereof.

"(e) No passenger vehicle shall carry any load extending more than three (3) inches beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fenders on the right side thereof; provided, that the total over-all width of such passenger vehicle shall in no event exceed ninety-six (96) inches, including any and all such load.

"(f) Immediately upon the taking effect of this Act, it shall thereafter be unlawful for any person to operate or move, or for any owner to cause to be operated or moved, any motor vehicle or combination thereof over the highways of this State which shall have as a load or as a part of the load thereon any product, commodity, goods, wares or merchandise which is contained, boxed or bound in any container, box or binding containing more than sixty (60) cubic feet and weighing more than one thousand (1000) pounds where there are more than fourteen (14) of such containers, boxes or bindings being carried as a load on any such vehicle or combination thereof; provided, that no number of any such containers, boxes or bindings shall be carried as the whole or part of any load exceeding fourteen thousand (14,000) pounds on any such vehicle or combination thereof; and provided, that if this subsection is for any reason held to be unconstitutional and invalid, such decision shall not affect

the validity of the remaining portions of this Act, and the Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that this section be declared unconstitutional; providing, further, that if this Act or any section, subsection, sentence, clause or phrase thereof is held to be unconstitutional and invalid by reason of the inclusion of this section, the Legislature hereby declares that it would have passed this Act and any such section, subsection, sentence, clause or phrase thereof without this section."

Sec. 2. That Article 827a, Section 5, Vernon's Revised Civil Statutes, 1925, as amended Acts 1931, Forty-second Legislature, page 507, Chapter 282, Section 5, be, and the same is, hereby amended so as to read as follows:

"Sec. 5. No commercial motor vehicle, truck-tractor, trailer or semi-trailer shall be operated on the public highway outside of the limits of an incorporated city or town with a load exceeding fourteen thousand (14,000) pounds on any such vehicle or train or combination of vehicles; and no motor vehicle, commercial motor vehicle, truck-tractor, trailer or semi-trailer having a greater weight than twelve hundred (1200) pounds per inch width of tire upon any wheel concentrated upon the surface of the highway shall be operated on the public highways outside of the limits of an incorporated city or town."

Sec. 3. The fact that the farmers and ranchmen of this State cannot now economically transport farm and ranch products to market when limited to a load of seven thousand (7,000) pounds, together with the fact that the low load limit now in existence is causing the number of trucks upon the public highways to be increased, with the result that the lives and property of motorists upon the highways are greatly endangered and collisions between passenger motor vehicles and trucks are greatly increasing with a corresponding loss of lives and damage to property, creates an emergency and an imperative public necessity

that the Constitutional Rule requiring that bills be read on three several days in each House be, and the same is, hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### MESSAGE FROM THE SENATE

Austin, Texas, January 27, 1941.

Hon. Homer Leonard, Speaker of the House.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 15, Recalling from the Senate H. C. R. No. 11.

H. C. R. No. 17, Extending Congratulations to the Honorable Sam Rayburn, Speaker of the National House of Representatives.

H. C. R. No. 19, Inviting Major General Paul B. Malone to speak.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### COMMITTEE APPOINTED TO ESCORT HON. T. V. SMITH TO SPEAKER'S STAND

The Chair announced the appointment of the following Committee on the part of the House to escort the Honorable T. V. Smith and party to the Speaker's stand:

Mr. Carrington, Miss Files, Mr. Kelly, Mr. Whitesides and Mr. Stanford.

#### ADDRESS BY HONORABLE T. V. SMITH

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 12, adopted by the House and Senate, Inviting Honorable T. V. Smith, former member of the Senate of the State of Illinois, to address a Joint Session of the Legislature at 11:00 o'clock a. m., today, the Honorable Senators, escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and, being duly admitted, occupied seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson occupied a seat on the Speaker's stand.

Honorable T. V. Smith and party, escorted by Senators Winfield, Aikin, Smith, Mauritz and Vick, Committee on the part of the Senate, and Mr. Carrington, Miss Files, Mr. Kelly, Mr. Whitesides and Mr. Stanford, Committee on the part of the House, were announced at the bar of the House, and being admitted, were escorted to a seat on the Speaker's stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing Honorable T. V. Smith.

Honorable W. O. Reed, who was in the Chair, called the House of Representatives to order.

The Lieutenant Governor directed the Clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield

#### Absent—Excused

Cotten	York
Spears	

A quorum of the Senate was announced present.

Honorable W. O. Reed directed the Clerk to call the roll of the House.

The roll of the House was called and the following members were present:

Mr. Speaker	Heflin
Allen	Helpinstill
Allison	Henderson
Alsup	Hileman
Anderson	Hobbs
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bean	Huffman
Bell	Hughes
Benton	Humphrey
Blankenship	Hutchinson
Boone	Isaacks
Brawner	Jones
Bray	Kelly
Bridgers	Kennedy
Brown	Kersey
Bruhl	Kinard
Bullock	King
Bundy	Klingeman
Burkett	Knight
Burnaman	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Cato	Little
Chambers	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McAlister
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dickson of Nolan	Manning
Donald	Markle
Dove	Martin
Duckett	Matthews
Dwyer	Mills
Ellis	Montgomery
Eubank	Moore
Evans	Morgan
Favors	Morris
Ferguson	Morse
Files	Murray
Fitzgerald	Nicholson
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Goodman	Phillips
Halsey	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Roark
Hartzog	Roberts

Rhodes	Stinson
Sallas	Stubbs
Senterfitt	Taylor
Sharpe	Turner
Shell	Voigt
Simpson	Walters
Skiles	Wattner
Smith of Bastrop	Weatherford
Smith of Atascosa	White
Spacek	Whitesides
Spangler	Winfree
Stanford	

## Absent—Excused

Celaya	Thornton
Gilmer	Vale
Howard	

A quorum of the House was announced present.

Honorable W. O. Reed introduced Dr. Homer Price Rainey, President of The University of Texas, who in turn presented Honorable T. V. Smith to the Joint Session and the assemblage.

Mr. Smith then addressed the Joint Session.

## SENATE RETIRES

At the conclusion of the Address, the Senate, at 12:00 o'clock m., retired to its Chamber.

## EXTENDING PRIVILEGES OF THE FLOOR TO PRESS ASSOCIATION

Mr. Montgomery offered the following resolution:

H. S. R. No. 81, Extending Privileges of the Floor.

Whereas, The Texas Press Association will convene in Austin, Texas, January 27th; and

Whereas, The Texas Press Association is composed of outstanding men, who, through the news columns of the papers of Texas, have contributed much to the welfare of our State; and

Whereas, The membership of the Texas Press Association is vitally interested in legislation affecting the people of this State; therefore be it

Resolved by the House of Representatives of the Forty-seventh Legislature, That the members of the Texas Press Association, while convening at Austin for their mid-

winter convention, be extended the privileges of the floor of the House of Representatives; and be it further

Resolved, That a copy of this resolution be mailed to the officers of the Texas Press Association and to the Texas Press Messenger, the official organ of the Texas Press Association.

MONTGOMERY,  
HUDDLESTON.

The resolution was read second time and was adopted.

#### ADJOURNMENT

On motion of Mr. Anderson the House at 12:05 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

#### TENTH DAY

(Tuesday, January 28, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Chambers
Allen	Clark
Allison	Cleveland
Alsup	Coker
Anderson	Colson, Mrs.
Avant	Connelly
Bailey	Craig
Baker	Crossley
Bean	Crosthwait
Bell	Daniel
Benton	Davis
Blankenship	Deen
Boone	Dickson of Bexar
Brawner	Dickson of Nolan
Bray	Donald
Bridgers	Dove
Brown	Duckett
Bruhl	Dwyer
Bullock	Ellis
Bundy	Eubank
Burkett	Evans
Burnaman	Favors
Carlton	Ferguson
Carrington	Files
Cato	Fitzgerald
Celaya	Fuchs

Gandy	Manford
Garland	Manning
Gilmer	Markle
Goodman	Martin
Halsey	Matthews
Hanna	Mills
Hardeman	Montgomery
Hargis	Moore
Harris of Dallas	Morgan
Harris of Hill	Morris
Hartzog	Morse
Heflin	Murray
Helpinstill	Nicholson
Henderson	Pace
Hileman	Parker
Hobbs	Pevehouse
Howard	Phillips
Howington	Price
Hoyo	Rampy
Huddleston	Reed of Bowie
Huffman	Reed of Dallas
Hughes	Ridgeway
Humphrey	Roark
Hutchinson	Roberts
Isaacks	Rhodes
Jones	Sallas
Kelly	Senterfitt
Kennedy	Sharpe
Kersey	Shell
Kinard	Simpson
King	Skiles
Klingeman	Smith of Bastrop
Knight	Smith of Atascosa
Lansberry	Spacek
Lehman	Spangler
Leyendecker	Stanford
Little	Stinson
Lock	Stubbs
Love	Taylor
Lowry	Turner
Lucas	Vale
Lyle	Voigt
McCann	Walters
McDonald	Wattner
McGlasson	Weatherford
McAlister	White
McLellan	Whitesides
McMurry	Winfree
McNamara	

Absent—Excused

Thornton

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, the invitation is in Thy Word, 'If any man lack wisdom let him ask of God, Who giveth to all men liberally and upbraideth not.' May we individually and collectively